

**INSIDE: The Charter's tangled web of rights and freedoms**

# Maclean's

APRIL 22, 1985

CANADA'S WEEKLY NEWSMAGAZINE

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## The New Squeeze on Japan

The looming threat of a world trade war

Japanese Prime Minister  
Yasuhiro Nakasone



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CANADA'S WEEKLY NEWSMAGAZINE

# Maclean's

APRIL 22, 1975 VOL. 18 NO. 16

## COVER

### The new squeeze on Japan

Last week in a dramatic shift in Japanese trade policy, Prime Minister Yasuhiro Nakasone pledged to open his nation's doors to foreign goods over the next three years. But skeptics said that the understanding may not be enough to defuse mounting anti-Tokyo anger in the U.S. congress—or to avert an international trade war. —Page 20

COVER PHOTO BY GARY/STYLING BY KEN/STYLING



### Fishing troubled waters

Canadian patrol boats are among American fishing equipment on the divided Georges Bank, but the real conflict between Atlantic fishermen involves trade. —Page 12



### A new promise of equality

Section 33 of the Canadian Charter of Rights and Freedoms came into effect this week but the consequences a law guaranteeing equality are far from clear. —Page 18



### Great powers play games

In an apparent attempt to gain favorable world opinion, new Soviet leader Mikhail Gorbachev last week announced a freeze on deployment of missiles. —Page 16

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### On the club circuit

Performer Tisharrh Johnson has put her cabaret act together and she is planning to take it to Europe, where she toured with Kiki James's rock band in the 1970s. —Page 26



## An awesome new law

The wording is dry and stilted. But the language contained in Section 15 (2) of the new Charter of Rights and Freedoms—a section that becomes law this week—introduces a seismic change in the customs and mores that have traditionally governed a broad slice of Canadian life. For the first time, the principle of affirmative action has been enshrined in the law of the nation.



Focus: legal and social problems

And for women, minority groups, the handicapped and hundreds of thousands of others, that action seems certain to have profound effects. The action opens the way for legislation designed to improve the "conditions of disadvantaged individuals or groups, including those that are disadvantaged because of race, national or ethnic origin, color, religion, sex, age or mental or physical disability."

The new law will lead to an explosion of court cases. If the Canadian pattern follows that set

in the United States, the sure target of litigation will be the workplace. There undoubtedly are many areas of discrimination that the unaided application of their law will eliminate, but the legislation will also be open to abuse. For one thing, in some areas of the United States the courts have imposed minority hiring and promotion quotas on employers, often with little regard for the skills or value of the individuals involved. As Michael Rose of the Ottawa Bureau reported for this week's story, which begins on page 48, "The potential legal and social problems posed by the section in the Canadian Charter are awesome in their reach."

Kevin Doyle

Maclean's April 23, 1985

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## EXPO 86 UPDATE

# Another world exposition first

On May 2, 1985, a phenomenal \$22-million gesture—what the Expo Centre will open on the day of British Columbia's 1985 World Exposition.

A dynamic prelude to next year's celebrations, the 17-story Expo Centre is a major component in the launch of a massive international marketing campaign and another first for EXPO 86. No world exposition has ever opened such a major facility so far in advance of opening day.

"The Expo Centre is destined to become one of the outstanding attractions on the site," says EXPO 86 President Michael Barlett. "It reflects all the dreams of a world calibre international exposition. By introducing the Centre and its surroundings into a fully or in addition, we are creating a strong ground for all our operational productions. When our gates open on May 2, 1985, we are going to be fully trained and ready to welcome the world."

**Unprecedented:** A brilliant venture to EXPO 86, the Expo Centre is already a futuristic landmark on Vancouver's waterfront. Inside its gleaming steel-clad dome are hours of delightful attractions for the entire family to enjoy.

A walk-in crystal ball, visitors will glimpse the future inside the Expo Centre. Greeted by a spectacular 135-ton spiralling sculpture of light, they will then circle upward to the 800' at Omnimax Theatre.

One of three major exhibits inside the Centre, the Omnimax Theatre is the only one of its kind in Canada and the largest in the world.

The ultimate in cinematic sensations, the Omnimax Theatre engulfs its audience with an enormous 27-metre-wide movie screen. In the Omnimax film, *A Walkway to Moses*, gigantic images, nine times larger than shown on ordinary movie screens, transport viewers from the frozen tundra of the North Pole to the sun-baked flats of the Mojave Desert—and beyond, to the far reaches of the world.

"We've highlighted our theme of A World in Motion—World in Touch with an unsurpassed mix of entertainment and education," explains EXPO

86 Creative Director Ron Woodall. "Visitors of all ages will be amazed by the sheer scale of the Omnimax film, the sensation of riding the wind currents on a hanging glider or missing into a tunnel at the front of a speeding train feels just like the real thing."

**The choice is yours:** There's much more to Expo 86 than the Expo Centre. In the 323-seat Futurama Theatre in Orca, Canada's first interactive audiovisual show, here, the 21st

level of the Expo Centre, Design 2000 is a walk-through exhibit of today's most advanced transportation technology. A futuristic living pod and a life-sized model of the Cosmoamer Albion, the first human-powered aircraft to cross the English Channel, are among Design 2000's intriguing features.

When EXPO 86 opens its gates on May 2, 1985, the Expo Centre will continue to capture all the splendour and excitement of a great World



Planning touches: EXPO 86 President Michael Barlett unveils the Expo Centre complex on the site of British Columbia's 1985 World Exposition. Opening May 2, 1985, the Expo Centre is a first for world expositions.

century is literally at your fingertips.

By pressing buttons located in the arms of the seats, the audience votes on possible future scenarios in world transportation and communications. Once the voting is computed, a seemingly magical laser and audiovisual presentation featuring 15 screens, a 16-in-Berlitz projector and 12 speakers heightens the drama of their choices for tomorrow.

**Gossamer Albion:** On another

Exposition. Surrounded by more than 80 pavilions, by soaring theme-drama plazas and an ongoing kaleidoscope of entertainment, the Expo Centre will remain as the pavilion of the future. And the future is now in Vancouver, British Columbia.

To learn more about EXPO 86, write EXPO INFO, PO Box 1800, Station A, Vancouver, British Columbia, Canada V6C 3A2. Or call (604) 684-3916.



Organized by the International Bureau of Expositions, sponsored by the Government of Canada and hosted by the Government of British Columbia.

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## Hard choices

—P TOM GOSSETT  
Gossett, R.C.

### Kudos for Cohen

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ben's column of March 25, "A prescription for the future." I would exhort politicians and labor leaders to study it carefully and, better still, to cut it out and pin it over their desks. Though the column is brief, there is certainly enough to start everyone thinking.

—M. MACMILLAN,  
Crestbrook, B.C.

### Corporate citizenship

Your recent article on Steve Pease's Journey for Lives ("A cross-Canada hero," Cover, April 8) provided some of the finest and most accurate coverage the event has received to date. However, it contained one factual error: Shell Canada, rather than Gulf Oil, is providing gas and oil for the TransAlta Motor Home being driven by Steve Pease for Shell Canada. Not demonstrated an extremely responsible sense of corporate citizenship, for which both Steve Pease and the Canadian Cancer Society are most grateful.

—PETER CALDWELL,  
National Co-ordinator,  
*Journey for Life*,  
Toronto

At the instruction of Employment and Immigration Canada, Maclean's is advertising an opening in Toronto for the position of Senior Writer. Previous newsmagazine writing experience is essential. Applications and resumes should be mailed to Kevin Doyle, 777 Bay St., Toronto, Ont., M5W 1A7.

Letters are edited and may be condensed. Writers should supply name, address and telephone number. Mail correspondence to: Letters to the Editor, *Midwest's magazine*, Midwestern Hunter Study, 777 Bay St., Toronto, Ont. M5W 1A1.

**DEED** the world's longest-ruling Communist leader, Enver Hoxha, 78, Albanian government leader since 1948; in Tirana (page 39).

**AWARDED:** to slayer Anne Murray, pianist Oscar Peterson, York University Chancellor **Floyd Chambers** and Olympic swimmer **Alan Boorman**, the Companion of the Order of Canada for "outstanding achievement and service to Canada," by Governor General **Jeane Sefton**, at a Government House ceremony in Ottawa. The award was instituted in 1967 and is limited to a total membership of 150 people.

**AWARDED** to University of Quebec ecologist **Pierre Dumas**, McGill University cancer researcher **Dr. Phil Gold**, University of Manitoba mathematician **theorist Ralph Stanton** and McGill University agronomist **Raymond Yong**. Kilam awards for career achievements in research, by the Canada Council, at a ceremony in Montreal. The annual awards carry a cash value of \$50,000.

**GED**—former Manitoba minister of labor, urban affairs and the status of women Mary Beth Dohs, 43, who is credited with initiating pro-abortionist provincial parental reform legislation in 1984, at cancer, at her home in Winnipeg. Dohs, who was elected to the legislative assembly in 1981 shortly after having a cancerous breast removed, resigned last January after serving in the cabinet for 2½ years, during which she was instrumental in the government's adoption of an affirmative action policy and the elimination of sex discrimination in calculating pension benefits.

**SHED** Broadway musician Fred Coe, 87, who wrote the music for such durable songs as *Swan Chen* in *Coming to Town*, *You Go to My Head* and *Love Letters in the Sand*, at his home in New York City. A self-taught pianist, the Brooklyn-born Coe flourished in the 1920s' "Tin Pan Alley" and under contract to the legendary Schubert brothers, writing songs for such Broadway revues as *Arise and Sings* and *Sam Brown*.

**RECOVERING** Brandon Sun publisher Lewis Whitehead, 58, whose family has owned the 100-year-old Manitoba daily newspaper since 1907, from injuries he received when he was attacked and stabbed by two assassins while he was walking with his 18-year-old sonnet board last week in Brandon General Hospital, Brandon, Man. Police charged brothers Russell, 20, and Richard Artois, 25, with attempted murder, wounding during a robbery and breach of communication.

**Turn back the pages  
this Saturday.**



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# A town at the edge of the world



Grise Fiord village on the ice floes, capped by ice, gauged by North, a land as desolate as it is beautiful

By Michael Gerard

From the air, the village of Grise Fiord looks like an exclamation mark. It stands on a rocky ledge between the sea ice and the glacial mountains of Ellesmere Island in the Canadian High Arctic, two rows of simple wooden houses, about 30 in all, in shades of brown, ochre and beige. The houses cluster at one end of the strip. A satellite receiving dish provides the postoffice mark at the other. Situated 1,100 km north of the Arctic Circle, Grise Fiord is Canada's most northerly civilian community. It was created 82 years ago when the Canadian government moved seven Inuit families from Quebec and Baffin Island to settle an area at that time beyond the limits of human habitation. Now the village's population has grown to almost 120 people, but their roots are still as shallow as those of Arctic grass in the permafrost. And some residents are lobbying the federal government to return them to their original homes.

Indeed, some Grise Fiord Inuit, like Sam Wilby, have already moved back with their families to northern Quebec, and on Feb. 28 Wilby joined five other Inuit spokesmen in an Ottawa meeting

with Indian and Northern Affairs Minister David Crombie to seek compensation for Grise Fiord's residents, acknowledgment of their contribution to Canadian sovereignty in the High Arctic and a pledge that the government would return them to Quebec should they wish to relocate. Since then, Crombie has been studying housing options in northern Quebec should relocation take place. "Nobody else is saying that they definitely want to go back now," explained Wilby's brother, Larry Audlaik, one of the original settlers and, at 35, an articulate spokesman for the town's new generation of Inuit. "A lot of us are happy to be here. But I think many of the older people are getting homesick, and some of them are ready to move back whenever the government says straight it."

When it established the settlement, Ottawa said that it would provide a better hunting area for native families than Etting in a depressed and overcrowded area around Port Harrison, an old Inuit hunting post. But Inuit natives say that they suspect the government had an ulterior motive, and that the move was also an attempt to use them to support Canadian sovereignty claims in the High Arctic Islands. Prior

to their arrival there had been only a remote Royal Canadian Mounted Police outpost to claim that corner of the frozen North for Canada. Intermittently since the 1930s, successive pairs of Mounties, working in two-year shifts, had dwelled as weathermen and postmen, although there was no use to read or receive mail but themselves. They flew the flag and sent logs as police than as living survey stakes in the southern corner of Ellesmere Island.

Then, a government supply ship, the ice-strengthened C.D. Howe, slipped through the blue pack ice to deposit the seven Inuit families on a ledge of rocky land onshore. The setting was spectacular: mountains towering above the sea ice, capped by glaciers and gauged by fog horns, a land as beautiful as it was desolate and empty. Audlaik was just three years old when he stepped ashore with his mother, father, two sisters and two older brothers on that late August day. There were no homes for them at first, and no lumber to build any. The family moved to the nearest Inuit winter shelter in a tent covered with buffalo skins provided by the RCMP. The transcript was an ill-informed as they were unprepared they did not realize that the sea would disappear below the horizon for

almost four months. Recalled Audlaik: "My parents were very surprised. The days got shorter and shorter, and finally the sun just disappeared and it became completely dark."

But as the creator of the community, Ottawa was committed to their expertise and twice size of the population. As a result, a village gradually evolved around the first post and co-op store. In the early 1960s the government established a nursing clinic, an electrical generating station, storage tanks for water and fuel oil, and a school. By the mid-1960s, when the government constructed new housing, Grise Fiord began earning a reputation as a remote but attractive place to live.

Said James Herman, the senior officer currently assigned to the post: "I don't think there are too many guys in the division who would turn Grise Fiord down. It is about as close as you can come to being the old-style traditional mounted police detachment, like back in the old days." Herman lives with his wife, Barbara, in a small white bungalow. In late June, when the snow melts, and rows of buildings will appear outside its front door, painted white by board Mountain's wives to mark the perimeters of an imaginary town. There is no real crime in the community, and Herman has little actual police work to do. Decried the corporal, "I just try to be a part of a helping hand to the people here, help them out with any problems with the government."

For its white inhabitants—Herman and the on-up store manager, the school teacher and the nurse—Grise Fiord is only a temporary place to work. Some is always somewhere else. For nurse Kathryn Semple, 58, home is Brampton, Ont., where she left a husband and grown child to pursue a career and satisfy her yearning for adventure. "For one thing," said Semple, "there are no buses for as people up here, only those that are supplied by our job. If I quit my job, I have to quit where I am living. So we are only on a working basis." In her childhood, Semple had little trouble with such machine health problems as suffices, cuts and venous clots. But with the nearest doctor 1,500 km away in Prosser Bay, she is also to handle emergencies—and she once performed minor surgery by taking instructions over the telephone from the doctor in Prosser Bay. Said Semple, "It sounds romantic, but most of the time we are just swamped in our own little existence here. And there is an read out."

Still, winter is the least difficult the isolation. Only summer breaks the ice monopoly. And in recent years summer has also brought visitors—European game hunters, Japanese film crews and even three tourists wealthy enough to

own Island offered by a travel agency at the airport at Ramoth, a village 400 km southwest of Grise Fiord. Once a week about 14 guests arrive by chartered plane to sightsee and to bank down at the new, chalet-style Hotel Grise Fiord for \$225 a night. They snap a few photos of ice floes and dog sleds and then fly home again. Thus the residents face yet another long winter in an isolated land.

Meanwhile, the government has made an effort to provide them with at least the trappings of home. Most homes are now equipped with an air furnace, running water, septic tank, electric stove, refrigerator—and a television set. "They just handled it up," said Audlaik, grinning as he described the improvements to his own home. He added,

from Resolute with mail and a few more compressed items for the co-op eggs at \$5.00 a dozen, milk at \$4.10 a litre, lettuce at \$5 to \$5.25 a head and bread at \$2.16 a loaf. At those prices financial hardship has replaced physical survival as the major challenge. "I have only a low-paid job," explained Audlaik, who delivers the home heating oil in the village. "Without heating I do not know how I would feed my family."

But it is that combination of modern wage employment and traditional Inuit hunting life that makes Grise Fiord hard. Its isolation is the drawback but also its salvation. The influence of the south has been tempered by the land itself, while Inuit customs have been preserved to a greater extent than in the communities of northern Quebec. Still,



Audlaik's from rock where and refrigerators in a traditional pot of stewed seal

"Compared to about 80 years ago, I'd just like the living in a white man's house." Indeed, Audlaik's daughters grew up in front of one of the family's two television sets, watching rock video broadcasts from the south. But some things do not change. The wife, Ann, now makes her electricity instead of kerosene, but the traditional pot of stewed seal still simmers on the back of the stove.

Most of the community's food and supplies are ordered from Inuit town, arriving in annual shipments for which the co-op manager painstakingly draws up the goods are then delivered once a year by helicopter. Apart from that, the airstrip one kilometre east of town provides the only link to the outside world. There is a radio, a TV, other electronic devices,

that does not make Grise Fiord home for some of its older residents, who continue to press Ottawa to move them back to their relatives and original homes near Port Harrison.

But Port Harrison is no longer the home they remember. "They came from outport camps," said Audlaik, "but those northern Quebec settlements have grown very large, so maybe the older people will find the change too great there too." For the time being, he, for one, is staying in Grise Fiord. In the long run, the village's future will be determined not by those who leave but by those who stay. For them, and their children, the settlement on the outermost edge of Canada may finally become home. □

## China's seismic shift

At 67, author Dr. Han Suyin is a leading authority on modern China. Born in Peking, she lived in China until 1937, when she enrolled in medical school in England. She now lives in Switzerland. Best known for her non-romantic life of Mao Tse-tung and for her novel, *Midnight*, a Mary Sigmond Book (1998).

she visits China frequently. In Canada, to discuss her latest novel, *The Earthquake*, she spoke with Maclean's correspondent Doug Fisherling.

**Maclean's:** How would you describe your relationship with the Chinese authorities?

**Suyin:** It began when I found out that below a certain level no criticism of Chinese society could be tolerated. They would always ask for criticism but then do not act as valiantly for giving it. So I decided that anything I had to say I would say to [then-president] Chou En-lai, a wonderful man. Many times I want to return to China but would not see me. I began to see just how important it is that the world understand China and understand that the party is not monolithic.

**Maclean's:** What recent changes have you seen in rural life?

**Suyin:** Well, up until now the government has paid more for what was produced on the land than when the peasants themselves sold the food directly. That is how the government put money into the countryside. And once money was circulating there, the government was able to modernize the countryside as no other Third World country has done. Now the peasants are profiting, and the subsidies are being cut back.

**Maclean's:** Are the peasants an effective consumer market?

**Suyin:** Yes indeed. Once they all wanted sewing machines. Now, the number of sewing machines has decreased because young girls want to buy ready-made clothes, which other peasant families now make. So there is diversification. Let me tell you, it could not have been done without the 16 to 18 years when the communists built the basic infrastructure of wells and estate and so on.

**Maclean's:** But hasn't recent economic reforms encouraged the profit motive without some of the old policies—in the family planning area, for instance?

**Suyin:** The Chinese always want to assist the family, so that one son will work the land and another will drive the truck to market and a third son will sell the produce in the city. A Chinese wants more kids and will cheerfully pay the fines imposed. Now that the peasant is making money, what does he care that he has to pay 1,000 yuan every time an additional child is born? So family planning is not working.

**Maclean's:** It's been years that the United States has come to view China as a gigantic untapped market for American goods. Is this new view healthy?

**Suyin:** It is the substitution of one good for another. But the Chinese are closed in. They say, yes, you can have a share of my market, but only as a guest vendor which we will later take over. The Americans want to sell China weapons, because they think that if you buy their weapons you are going to be their friend. But the Chinese do not think a war will take place and for five years have been concentrating on such things as making fridges and washing machines. Last year they started turning some factories to such purposes. Stability depends on keeping 800 million people satisfied ☐

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LETTER FROM: EL SALVADOR

## A land of icons and guns

*Mexico's Washington Bureau Chief Steve McDonald recently covered El Salvador's legislative elections. His personal impressions of the one-managed nation and its future:*

**O**n route 16—the Tonalá del Norte—which stretches north from El Salvador's capital, San Salvador, to the Honduran border, an ancient yellow taxi rattles through picture-postcard views. Mountainsides studded with cedars and palms drop away to the patchwork of gleam riverbeds where white sprays swirl the rainy season. Thatched huts blue with scarlet balconies (is not so fertile that even painted fenceposts sprout green shoots. The war service photographs do not capture this aspect of El Salvador—a country whose very name has become synonymous with death squads. They tend to focus instead on guerrillas brandishing Kalashnikov rifles and corpses displayed in a triangle of symbolism and obscenity. In El Salvador things tend to run to extremes.

The polarization between right and left, the chasm between rich and poor, the contrast between the beauty and the blood make it hard to get a fix on a mid-middle ground. Within the space of 10 minutes one can drive across the capital, from the splendor of the city's blue José de la Montaña refugee camp where 800 people are jammed into alleyways of corrugated tin shanties to the mean case of the zone rose nightclubs district. There, the sketches slip Don Perignon at the resident morning hole, El Financiero. Español, however, is a carefully worded text of a favorite speech by Spanish dictator Gen. Francisco Franco.

Security considerations are discussed with the same offhandness as the weather. A Western embassy official picked me up one day for lunch. As we stepped out of the hotel his bodyguard appeared with an Unicomobile to cover me five steps to his bulletproofed station wagon. We slipped Honduras by the pool in his garden, where purple bougainvillea struts to meet the barbed wire curling atop the chain-link fence. The talk turned to human rights abuses that the government has failed to prosecute, specifically the suspects accused in the 1981 assassination of two American law reform specialists in the lobby dining room of the Sheraton hotel. "Frankly, if the government doesn't do anything about punishing them," said another American guest, "I think we should kill them. It should be a lesson."

At the same moment, as we sat beneath the almond and avocado trees discussing how the body count has dropped from 800 to 100 over the past five years, the Farabundo Martí National Liberation Front, the left-wing coalition, was conducting a lesson of its own—pumping automatic fire into a parked

van, killing the driver, a retired army general who was the architect of the right-wing death squads in their transient Radio Nacional broadcast the next day, the guerrillas branded him "the butcher."

But after 50,000 deaths in five years, that incident and those conversations no longer create a response. In another episode one evening guests dined here d'coeur and compared notes on how they passed the two-hour battle that erupted in the middle of the night of March 16, when guerrillas attacked the communications center atop the San

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Salvador Rojas, which broods over the capital. Those who could not sleep through it took cocktails and sandwiches out to their terraces to watch the horns of motorists from 40-60 gunships. As the mission in the country has wound, it seems to have become a less threatening spectator sport.

Outside the Metropolitan Cathedral 5,000 Salvadoreños marched to commemorate the fifth anniversary of the still-unsettled assassination of Archbishop Oscar Arnulfo Romero while he was saying mass. The marchers filed past the stone doorway still pockmarked by the bullets of unknown assassins who had fired on the crowd attending the archbishop's funeral. Today, the crowd carries huge masks like flower wreaths and banners reading, "No to the peace of cemeteries," accompanied by Romero's picture. His photograph has been transformed into a Byzantine icon on a gilt cardstock backing, a sacred halo around his head. Thereafter in the caption "Mártir de América"—Central American Martyr: It is perhaps the only icon in existence to feature a subject wearing glasses.

Veteran Central American reporters tense in their glimpses the procession's last wave. Young girls with handkerchiefs pulled low over their foreheads and boys with renewed anguishes hold a long white banner. But when photographers



Remembering Romero's death 'martyr'

focus on them, they pull the banner over their faces. The journalists slight gaze, helping under desks. "Those guys are G's," said one—press corps parlance for guerrillas (the Salvadoreño acronym has been christened "Guerilla"). The journalists brace for an incident, one eye on the twickly policemen hidden behind the metal slats of the cathedral corner. But violence fails to materialize.

Nor does it appear on election day, March 21, when four journalists like a yellow taxi, number 1311, to take them enraging over the lunar petioles of the Trócal del Norte looking for trouble. The guerrillas have told the population to stay off the highways in an effort to disrupt the vote. Only the day before, in the northern province of Chalatenango, one of their claymore mines blew up a flatbed truck packed with standing peasants, killing six. But our drive north to the town of La Palma was uneventful. All day reporters have fanned out over the countryside with the same anticlimactic results.

Back at San Salvador's Caribia Road Hotel, where the second floor has been transformed into a makeshift press gallery—television network cables littering the hallways and darkrooms furnished out of bulb bins—they court the lack of news. "What we are witnessing," said one somberly, "is the death of a story." ♦

#### FOLLOW-UP

## A fading national dream

They came from obscurity with their machine-guns and grenades and made famous the struggle of a little-known group of islands off the north coast of Australia. On Dec. 2, 1975, seven South Moluccans living in the Netherlands hijacked a train in northern Holland, killed the engineer and then coldly executed two men in front of television cameras. Then, they demanded independence for the South Moluccans, the southernmost members of an archipelago between Celebes and New Guinea, which were once a Dutch colony but are now part of Indonesia. An armed car raged the train, seven more Moluccans burst into the Indonesian consulate in Amsterdam, wounding one diplomat and fleeing another to lag from a window to his death. After 17 days of horror, the prisoner surrendered. A year and a half later the South Moluccans struck again, hijacking another train in the Netherlands and taking over an elementary school in the town of Bovenmerende. For 30 days Dutch officials tried to negotiate, finally they assaulted the train and the school, killing six

terrorists and two hostages.

The Netherlands, a country proud of its safe way of life, quickly recovered from the incident, but the dream continues to haunt the 60,000-strong Moluccan community living in the country. Most Moluccans are still convinced that one day, against all the odds, they will re-

***'Our bitterness against the Dutch for failing on their promise passed from the elders to the new generation'***

turn to an independent South Molucca. That seems to be unlikely. Indonesia has steadfastly rejected all claims for independence for South Molucca.

In 1949 the South Moluccans sided with the Dutch colonial army to put down a bloody Indonesian rebellion in Java—then part of the Dutch East Indies. Six years later, after the Indone-


sian Republic had been formed, its first leader, President Achmed Sukarno, incorporated the South Moluccans into Malaysia, creating an attempt by the islanders to declare independence. About 4,000 South Moluccan Dutch soldiers and their families, numbering 12,000, were stranded on Java, afraid to return home or to remain in Indonesia. Subsequently, the Dutch government brought the soldiers to Holland, pleading to help create a South Moluccan republic and return them.

That never happened. Said Otto Matulony, a former lieutenant who now produces a weekly 30-minute program in Miday (the language of the Moluccans) on Dutch radio: "As the years went by, our bitterness against the Dutch for failing on their promise passed from the elders to the new generation." Bobby Siliwan, a Moluccan who spent seven years in jail for failing part in the attack on the Indonesian consulate, told Matulony's "Our parents were old. The Dutch did nothing for them. I was angry—angry about still living here." While the South Moluccan community was shocked and amazed, the terrorism did focus attention on its plight. Said Matulony: "I loved the violence, but I hate to mix it. It helped the Moluccans by awakening Holland to our problems."

Indeed, immediately after the 1975 train hijacking the Dutch authorities

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frailly reacted to the Molossians' long-suffering resistance. A Molossian advisory council was set up to improve housing, education and employment prospects. But the results have not been good. It is still a dismal fact that few Molossian children get beyond high school. Youth unemployment is 60 per cent, and drugs and alcoholism are widespread in the community.

At the same time, the Molossians have not made a sustained effort to adapt to Holland's customs. "We do not want to become Dutchmen," said Molossian spokesman Rita Maai, "and be assimilated into their culture." Younger Molossians say that they are discontented because as a brown-skinned minority they face racial prejudice. As a group they earn less than half the average wages of the Dutch and remain employed in low-skill jobs such as garbage collection and janitorial services. Most of them live in cheap government-subsidized housing or in slums. Many families are on welfare, living on 1,200 guilders a month (less than \$500).

For their part, the Dutch contend that the Molossians are largely responsible for their own problems. Basil Peck Hooftag, a reporter with *De Pers*, the Randboren daily newspaper, who is a self-described sympathizer of the Molossians' cause, "It seems to many Dutchmen that the Molossians have developed a welfare mentality, imagining that we owe them a living because of a historical wrong. The truth is that they have simply switched off from the world."

Indeed, a core of 400 Molossians isolated from Dutch society by living at Lunetten, in the southern Netherlands near Vught—the last remaining refugee camp for the Molossians who spilled off Dutch ships in 1961. Once a German concentration camp for Jews and Dutch political prisoners during the Second World War, it saw clashes between a prison and a large Dutch army depot. Shooting and plundering in the red-brick barracks are gone, and the walls are eroded. Repeatedly, the government has offered to relocate the residents to new housing that they refuse, claiming that the move would break up their community. "However rotten the conditions," Mouss Latsanagoss, a 28-year-old resident, told Molossian, "we are living here because we are living with our kind." Some observers argue that in clinging to their refugee camp they are stubbornly underestimating the temporary nature of their isolation and attempting to obscure the Netherlands' role in doing something more about their plight. That strategy is unlikely to succeed. But the leaders of the Lunetten community argue that passive resistance may prove a better tactic than using bullets to advance the dream of a South Molossian homeland. —PETER LATTIN in Brussels.

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### FOLLOW-UP

## A feminist in the temple

A stubborn barrier to female equality in Jewish life collapsed last February when the Rabbinical Assembly of Judaism's Conservative branch voted to admit women rabbis. The decision saved the Conservatives—half of all synagogue-affiliated Jews in North America—closer to the main liberal Reform and Reconstructionist communities. Those groups have ordained women for more than a decade.



Ellberg: "I can almost feel the ground moving."

and now claim 90 female rabbis, including two in Canada. At the same time, the assembly's decision widened the gap with Orthodox Jews, who staunchly reject the admission of women rabbis as a violation of sacred Jewish law.

At the centre of the issue stands Amy Ellberg, 38, a scholarly, soft-spoken Philadelphia Jew whose break-through was the fulfillment of a 16-year dream. On May 12 Ellberg will become the first woman ordained as a Conservative rabbi. "It was like being in a boiling pot, waiting something and not knowing it," Ellberg told *Macleans*. "Now, things are changing so fast I can feel the ground moving under me."

Ellberg's personal dedication to her religion began when she was 14. Returning from a tour of the United States sponsored by the Conservative movement's youth program—a trip that or-

poised her to traditional Jewish practice—the informed her lawyer father and social worker mother that she would become more observant of religious ritual. She also began to be attracted to feminism while pursuing the same path as male rabbinical students. She even obtained a master's degree in Talmud (the authoritative books of Jewish law) from New York's Jewish Theological Seminary, the world's only Conservative Jewish theological school, despite the fact that she would not graduate as a rabbi. In October, 1983, while Ellberg was on a leave of absence to study social work at Smith College in Northampton, Mass., the faculty resolved to admit women to the rabbinical program. Ellberg returned to the seminary the next fall and became one of 19 women currently enrolled who will be the first to complete the program. After women become eligible for ordination, the Rabbinical Assembly finally admitted them. Rabbi Ellyn Goldstein, assistant rabbi at Toronto's Holy Shalom Synagogue, who knew Ellberg at university, said: "The more women in leadership roles, the more positions will open up for them. And Amy is an outstanding role model."

Still, the controversy is not over. When Ellberg lectures at synagogues, she says that people occasionally say she is contributing to the diversity of the Jews. As well, some Conservative rabbis argue that certain religious ceremonies such as marriage and conversion will be questionable if performed by women. Despite the uncertainty that some Conservatives still feel about her status, Ellberg has received several job offers from synagogues. Instead, after ordination she will become rabbinic chaplain at Methodist Hospital in Indianapolis, Ind., to remain close to her husband, Howard Ellberg-Schwartz, an assistant professor of religious studies at Indiana University. Besides her hospital job, Ellberg has said she will be a rabbi-to-be. "It is a challenge getting religion to the kind of text it faces in traumatic moments in people's lives." As a feminist pioneer, Rabbi Amy Ellberg has already put religion to a challenge.

—THEODORA LORNE



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COLUMN

## Adjusting to seismic changes

By Dian Cohen

• Despite its assets of \$5 billion, only a \$500-million injection from two governments and six other banks saved the Canadian Commercial Bank from last month's liquidation.

• On June 1 the new Canadian energy pricing agreement between Ottawa and the provinces will free "old oil"—that is, oil discovered before 1974—from current supply prices of \$18.70 (U.S.), and "new" oil from its price of \$9 (U.S.). But those price changes will not necessarily improve the industry's financial stability.

• Canadian investors' support for Japan by 20 per cent to \$5.6 billion in 1984, from \$4.7 billion in 1983. Yet our trade balance with Japan has gone from a surplus of more than \$1 billion in 1982 to a \$60-million deficit in 1984.

Those seemingly unrelated facts represent a new economic era, one that poses out for altered rules and transformed attitudes. The problems it creates are not unique to Canada. Some of them will be discussed next month at the economic summit in Bonn, when the seven top industrialized nations meet.

But because America is still the most influential nation, they will be discussed in American terms. The escalating potential for trade war between the United States and Japan is the most likely subject to dominate last week, when Prime Minister Yasuhiro Nakasone of Japan announced a three-year program to open up Japanese markets to foreign trade, he was simply preparing for what he anticipates as pressure from other Western nations. Still, his program is unlikely to have a dramatic effect on the foreign trade imbalance.

Canadians often believe they have problems that are different from the Americans' or the rest of the world. My purpose in this particular column is to suggest that our problems—international trade, the pressures on financial institutions and instability in energy prices—mirror the world's.

The troubles of banks like the Canadian Commercial Bank are common to the entire financial community. Understanding them is a step if one keeps in mind that financial institutions' assets are other people's—or companies'—debts. Among the biggest corporate debitors are the petroleum giants. The decline in oil and gas exploration in the past couple of years, combined with falling oil prices and high interest rates, have together left many Canadian and

U.S. banks drowning in what the banking community has dubbed "nonperforming" loans to those companies. *Business Week* magazine reported two weeks ago that in 1984 the net income of the 10 largest banks in the United States fell by 21 per cent because of too many such bad loans.

Here at home, the near collapse of Canadian Commercial has exploded the myth that only large companies or U.S. banks can fail. Over the past two years the majority of Canadian banks have increased their loan loss reserves to protect depositors' money. But it is too late to isolate society from the impact of those nonperforming loans. One reason is that many pension funds are invested in bank shares. The Commercial's president, Gerald McLaughlin, has suggested it will take his bank 10 to 15 years to repay the reserves, during which time no dividends will be paid to shareholders of the bank. Among shareholders:

***'Canadians believe that their own problems are somehow different from Americans' or from the rest of the world's'***

ern; the Quebec government's pension fund, Manitoba teachers, Alberta telephone workers, employees of Air Canada, Canadian National and Great-West Life.

It is unlikely that all pricing and supply will be the focus of the economic summit. But the changes in the world economic order that accompanied the rise of the OPEC cartel—and prompted national economic accounts of industrialized nations such as the one scheduled in Bonn—are also likely to be discussed through the system. On the face of it the energy industry looks brighter than it did in the mid-1970s, at the height of OPEC's grip on oil prices. Market analysts, politicians and industry spokesmen all give nice reviews to Canada's new oil pricing agreement. That agreement says that on the basis of today's world prices, old oil will rise by 88 or 87 a barrel, while the price of new oil (discovered after 1974) will fall only slightly. And Finance Minister Michael Wilson says he is confident that it will enable industry to create "thousands of jobs."

Well and good. But although Ottawa will phase out the revenue tax over the

next 2½ years, there is a near certainty that world oil prices will drop later this year because of the oil glut. Alfred Dornberg, CIBC analyst Donald Whitley says the new pricing accord should protect the Canadian industry from a 50-per-cent price decline. But New York-based analyst Prof. Luehrer makes a convincing case that prices will fall even more than that. Whatever happens, change, change, change—adjustment problems. In the long run, change is in good for everyone, but in the short term the price of oil, which can go down almost as far as it went up, will create an unstable market—making it extremely difficult for companies and governments to plan investment strategy. But whether oil pricing or the problems of the banking system will be on the summit agenda is still unclear.

Whatever else that will be discussed in Bonn, one topic is certain to dominate trade. The U.S. Senate moved earlier this month that it would not lend tonnage what it considers unfair trading practices by the Japanese. The Americans blame the United States' estimated \$60-billion trade deficit with Japan on Japanese barriers that prevent U.S. goods from penetrating Japanese markets.

In point of fact, eliminating all trade barriers is not going to solve all trade imbalances around the world. Although Japan is a trade barrier, so does the United States and so does Canada. Gary Saxonhouse, a professor of economics at the University of Michigan, believes that the Japanese economy can absorb only \$5 billion or \$5 billion in new imports—newly over the \$40 billion or \$50 billion the Americans say they want to sell there. This means the Americans, and Canadians to an even greater degree, are either going to have to curtail exports from countries such as Japan or else are going to have to encourage more domestic investment through savings, and more education and research—all of which should create greater production efficiency here.

The lesson for Canadians, going into the Bonn summit, is to understand the bigger context of the issues, and then to discern where our interests lie. The bigger context is the changing world economy. Our primary interest should be in facing the challenge of change and finding new and creative ways to deal with it.

Dian Cohen is a Montreal-based economics writer.



Harvesting scallops on Georgia Bank: the low of the land is hard to peg on a darkness of the deep

## CANADA

# Fishing in troubled waters

By Allison Hare

**T**he stampede-pry Canadian Fisheries vessel *Chabouat* was on patrol in Canada's corner of the Georges Bank off Nova Scotia when the crew spotted the telltale string of orange and red buoys. That sighting led to a clash of 15 illegally set American lobster traps last month, the third incident of its kind in a nine-week period. A little more than a month earlier a similar patrol seized 227 American lobster pots in Canada's zone. And in January Cape Breton's *Coman* of New Bedford, N.S., was fined \$3,000 in Bridgewater, N.S., after he was caught dragging for groundfish 18 miles inside Canadian waters.

The recurrent provided evidence of defiance amid the anger that has been simmering in New England fishing ports since the 30,000 square miles of ocean, including the rich Georges Bank, was divided last fall by the International Court of Justice in The Hague. But the most pressing threat to Canada's fishing industry is in the murky corner of the fishing bank is a campaign for a U.S. tariff penalty against its fish exports. The apparent American aim is to force a surrender that would involve Canada sharing at least some of the Georges

Bank waters which the court awarded to it. Both Canadian and American fishermen were displeased when the world court divided the disputed and highly prized fishing grounds of the Gulf of Maine six months ago. Canada got less than one-third of the space but it rights to weight, but it gained exclusive rights to one of the Georges Bank's richest areas. The Americans, who claimed the entire 30,000-square-mile wedge of ocean, won five-eighths. The hearing decision was particularly unpopular in the New England fishing community, which has complained about Canadian competition for years. As boat operator Jim Sullivan of Whitford, Me., told *Maclean's*: "A lot of people think this is the end. There is a lot of vindictiveness."

But only a few New England fishermen are likely to risk violating the new boundary because the severe penalties now levied for fishing the of-

fending boat. Instead, New England's resentment is fueling a campaign for tariff penalties as other restrictions against U.S. imports of Canadian-caught cod, haddock, halibut, sealable and lobster—more worth more than \$400 million to the Canadian industry last year. National Sea Products Ltd. alone, the Halifax-based frozen-seafood market firm, that is the country's largest integrated fishing company, makes more than half of its sales revenue in the United States. The annual value of its exports about \$200 million. A new tariff barrier "would be devastating not only to National Sea but to all Atlantic Canada," said Gordon Gorming, the company's executive vice-president.

The New England campaign against Canadian fish imports faces formidable legal and economic impediments, including the costly process of persuading the U.S. International Trade Commission and the

commerce department to advise protective measures on grounds of unfair Canadian competition. But pressure groups such as the North Atlantic Fisheries Task Force—representing the owners and crews of about 1,000 New England boats—are encouraged by Washington's decision last year to impose an interim 20-per-cent additional tariff on Canadian salt cod marketed in the United States.

The American task force was formed in anticipation of a U.S. trade commission report late last year which cited evidence that Canadian fishermen benefit from government assistance in landings, price supports and technical and American fishermen contend that these subsidies give their Canadian counterparts an unfair advantage. This week the task force is meeting to consider its next moves, based on Washington trade lawyer Bert Fisher's advice to petition the trade commission for "tariff" in the form of penalty duties or import quotas on Canadian fish.

For his part, Patrick McGuinness, a tariff specialist in the Canadian fisheries department, contends that the trade commission study actually provides evidence that many of the New England fishing industry's problems are the result of poor management of declining fish stocks. Added McGuinness: "From the Canadian point of view we're saying the report was very good because it demonstrated that the American have to clean up their house first." As well, McGuinness said that American consumers need Canada's fish because the U.S. fleet cannot supply the total demand. Some American observers agree that a tariff may not be the remedy. "It would probably hurt down the Canadian fishermen more than it would help fishermen here," said Jim Palfreys, editor of the U.S. fishing journal *Northeast Fisheries*, in Concord, Mass.

Officials in the office of Canadian Fisheries and Oceans Minister John Fraser are not convinced that the Americans will succeed in obtaining a higher tariff against Canadian fish in order to regain access to the Georges Bank area awarded to Canada. Mary Beth Carman, fisheries adviser to U.S. Senator William Cohen of Maine, said that an exchange of fishing rights on the bank "has been discussed as a possibility for the future." But Canada has rejected a U.S.-proposed one-year delay in enforcing the Georges Bank boundary. As a result, it is still unclear whether pressure for trade protection will lead Ottawa to make concessions. But as Palfreys said: "This is the club [that they have] and they're going to get as much out of it as they can."

Ontario's numbers game

Ontario Premier Frank Miller was determined to ignore the reality facing him. Campaigning for the May 2 provincial election, the premier locked out on a disproportionately small crowd of 150 people in a hall designed to hold more than 400. Then, sitting into the television lights, he confidently assured his audience that he is regularly "filling the hall" everywhere he speaks. The remark was a testament to Miller's naive optimism in a week when his Conservative party and his organizers

view "The shift to the Liberals started almost as soon as the campaign began," added McGreger. "It is fair to say that Miller's personal performance has caused problems." He said that Liberal program for job creation, educational and social reforms have also been attracting broad interest. Spokesmen for the NDP were not available to comment on the weekend reports.

It was unclear why Tory insiders would have provided the disappointing poll figures to a newspaper. Some

found themselves lighting an unseasoned overcast night. After waging a tightly controlled, successful campaign, the Tories on the weekend suddenly had to struggle with reports that their support has dropped sharply. The *Toronto Globe* and *Mail* quoted "well-informed Tory sources" as saying that the party had suffered a significant loss of popular support in an attempt to recoup the premier to drop his resistance to a TV debate with Pearson and Rae. And Allan Gregg, president of Deanna Resources Ltd., the Toronto polling firm that the Conservatives are using, said in an interview that the quoted figures were unfounded. In fact, added Gregg, his firm had not completed its first provincewide poll by the weekend, although Deanna does day-by-day polling in 20 ridings.

As well, Gregg said that in general the Conservatives had about 45 per cent of popular support at the beginning of the campaign, the Liberals 35 and the vote about 20, and "they have not changed in any significant way." For his part, Peterson did not question the accuracy of the numbers. He said reports that they simply reinforced a sense of momentum that he feels throughout the province. But only raw numbers will sort out May 2's

## Ontario's numbers game

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Peterson: even if the figures are inaccurate, their release clearly buoyed the Liberals

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With Chris Wood in Halifax and William Leather in Washington.



Donna (far right) leading Tory politicians for the reform of hangover: unsuccessful for compromise

## A testing time on the Tory Right

By Hilary Mackenzie

**S**itting back down behind the soft in his lap, the Tory Minister of Finance, Bill Donnelly, easily acknowledges the meaning of compromise until January. The return of the Minister of Finance had for years led a vigorous fight to preserve imperial measurement and he was even a partner in an "imperial police" service station on the outskirts of Ottawa. Then, Consumer and Corporate Affairs Minister Michel Gauthier announced that the Conservative government figures making metric the main form of measurement, with pillows, shoes and pounds allowed for comparison shopping only. Sitting with Gauthier when he announced the policy was his somewhat embarrassed parliamentary secretary, Bill Donnelly.

Recalling his own experience, 64-year-old Donnelly admits that there will be many more difficult times ahead for the Tory party as it moves steadily into the position of opposition. Just last month, Donnelly and five like-minded Conservatives formally filed a petition in the House of Commons bearing the signatures of more than 100,000 Canadians

who favor the return of capital punishment. But still mostly aware of what happened in the last time he championed Donnelly says, "I'm not sure whether it's possible to only half hang people."

The Tory party has historically provided a haven for a small but fractious and undisciplined group of right wingers—usually described as a caber of extremists and self-seekers. Drawn to the party because it is the only one in Canada that speaks its wings to encompass the far right of the political spectrum, they make up about 20 per cent of the 210-member federal caucus. Traditionally, the outsiders have given the party its reputation for internal conflict and dissent, most recently during Joe Clark's tenure as leader. "Nearly all of [John A.] Macdonald's successors have had to deal with open and often outrageous challenges to their authority," said political scientist George Partin in his book, *The Tory Syndrome*. "Must have resigned under the pressure of manifest or incipient rebellion."

In fact, since Brian Mulroney's government took power seven months ago, the rebellious element has been active. It has spearheaded the drive for restoring

capital punishment, introducing five separate private members' bills. It led the unsuccessful campaign for the abolition of metric measurements, now placed under full French-language rights in Manitoba and called occasionally for stricter laws on abortion. In Canada the rightists have also pressed for increases in defense spending and closer economic ties with the United States. On the domestic front, they advocate putting the economy firmly in the hands of the private sector, while cutting the social and cultural budgets.

So far, the government has not taken any action on the issues of most concern to the right. The administration's first budget will not be released until the week of May 30, but it has already been increasingly clear that social spending—which accounts for 38 per cent of the overall budget—will likely remain the "sacred trust" that Mulroney described during the campaign.

The making of the Mulroney government, with such personalities as Deputy Prime Minister Erik Nielsen, Solicitor General Elmer Mackay and National Industrial Expansion Minister Sinclair Stavey in positions of influence, placed it squarely on the right of the political

spectrum. But it is not so clear as to its appearance as was the group that surrounded Mulroney on the day he was the party leader—June 11, 1980. Mulroney himself is as concerned to such issues as bilingualism as Pierre Trudeau was, and he appears to find the capital punishment issue important. In truth, there has been little to distinguish the Mulroney policy from that of the later ones of Trudeau. "So much for all that phoney Mulroney about being anxious to change ways," says financial critic Nelson Ellis charged recently in the *Evening News*. "The people of Canada thought they had made a change, but in fact they have not made a change." Currently, the fringe of the far right has little influence in the Tory caucus. But it is still unclear whether they will create problems for Mulroney or whether he will be able to ignore their demands.

Individually, the extremists tend to be flamboyant, use inappropriate language and are often outspoken against positions taken by their own party or leader. Among the more notable:

**Bob McKenna:** The *Winnipeg Free Press* once commented that the Winnipeg-Asiniboine riding he represents "needs a member with two ears in the water, an ear who keeps rowing round and round in the same position circle" for his adamant belief that federal language policy is part of a grand strategy to eliminate the rights of non-French Canadians. On a *Winnipeg* radio talk show in 1981 McKenna declared that under Joe Clark's leadership the Conservatives were "dead in the water with me still at the helm." He added, "So be better go where voluntarily before we make him walk the plank."

**Don MacKenzie:** The top for Mississauga South acknowledges a "dramatic weakness of calling a coon a quack." Indeed, he has attacked a range of subjects from the Toronto airport's Terminal 3 ("It was a bag terminal the pigs would use of exhalation") to future issues (he once asked Neil Sturges, president of the National Indian Brotherhood, "Is there something mentally defective in your attitude?").

**Stan Darling:** Bored and easily flared, the 72-year-old son of Harry Sound MacKenzie is known for his distrust of Quebec, gun control, metric and people who oppose capital punishment.

**Gordon Taylor:** The MP for Alberta's New River riding, Taylor has tabled private members' bills calling for the execution by hanging of mass murderer Clifford Olson. Olson was found to remain alive's name from the bill because of Homicide Act, Taylor established the document, calling for the execution of any Canadian found guilty of having committed more than 10 murders—for which only Olson qualifies.

**Robert Coulas:** A new addition to the back benches following his February resignation from the defense portfolio, Coulas was considered the least powerful right wing in cabinet. Four years ago, when the opposition Tories were leading the governing Liberals in the polls by 42 points to 38, Coulas commented, "Without Clark we'd be 10 points higher on the Gallup I have no doubt of that."

Political scientist Partin says that the Canadian right wing is a patchwork. He tends to be someone who takes strong right-wing positions on an issue,



During: challenge to a bucksliding leader

Partin added, "but if you examine the underpinnings of their views they are not rigid, orthodox ideologies." Stan Darling is among those rightists who favor stricter automobile controls for cars and higher standards for food and non-food. Currently, he is also far less likely to rise in the House and denounce gun control. "I've been long your mouth shut and at my hands more than you ever did as a member of the opposition," Darling acknowledges.

Still, some observers contend that right wing dissent will soon emerge again as Fraser wrote in 1980,

"Changes in the leadership have often had little notable effect." In 1965 it was a rebel reformist group that pushed Charles Clark to resign as leader of the party at the party's annual meeting. "The leader can lead when he has to turn to see who is trying to trip him from behind." Declared outgoing leader Robert Sturges in 1978. "Some Tories would rather wait until August 1979 than the Tory leader of the day, Joe Clark, said. "The election is ready to be won in the country. It's waiting to be lost in the caucus."

Party discipline has never been a staple of what former Conservative General Lord Grey in 1906 called "the striped party." And in August, 1983, Tory MP Doug Roche noted that despite Mulroney's early success in keeping the diverse elements of the party under control, the party would soon disappear. Added Roche, "The honeymoon is sweet and the acrimony contagious, but down the road a trap is waiting." Roche predicted that strains would develop over foreign policy.

But so far Mulroney has managed to silence the right-wing fringe through a combination of skillful manipulation of appointments, praising the performance of internal men, and placing parliamentary reform to enhance the role of back-benchers. His strength in both the caucus and the country at large has allowed him to put right wingers in positions where they are forced to deal with other views. Said Donnelly, "Politicians get upset when their side is ignored. A person that does their cut of domestic-making breads rebels." Indeed, the first time the Tories were elected in 1984, they were forced to deal with other views. Said Donnelly, "Politicians get upset when their side is ignored. A person that does their cut of domestic-making breads rebels." Indeed, the first time the Tories were elected in 1984, they were forced to deal with other views. Said Donnelly, "Politicians get upset when their side is ignored. A person that does their cut of domestic-making breads rebels." Indeed, the first time the Tories were elected in 1984, they were forced to deal with other views.

Said Darling, "It's almost like an open season to his day, and that's important—he can put a flea in the Prime Minister's ear."

Two years ago pundits were predicting that the right wingers would end Mulroney's leadership. They were wrong. Following the election critics said that the Tories would provide the new Prime Minister with a long-term right wing political centre. That has not happened. However, the potentially divisive debate on capital punishment still has to be held. And as Stan Darling told MacKenzie, "Nothing is far enough from me I'd like to see it next week." ☐



# The great powers play games

By Marcus Gee

When Mikhail Gorbachev came to power in the Soviet Union on March 11, Western analysts predicted the avalanche now leader would soon use his skills to attract favorable international opinion. Last week, as he marked the end of his first month in the Kremlin, Gorbachev attempted to do just that. In a major foreign policy initiative, the 54-year-old Communist Party general secretary announced that Moscow would unambiguously and exclusively halt the deployment of medium-range nuclear missiles in Europe. Then, in swift succession he also denounced Washington's research into a "Star Wars" system of space-based missile defense, welcomed a possible summit with President Ronald Reagan and declared that an improvement in U.S.-Soviet relations was both possible and "extremely necessary." Said Gorbachev: "Cooperation is not an inherent defect of our relations."

Washington promptly dismissed the missile freeze as an attempt to split the United States and its allies in Western Europe, where the bulk of the Soviet weapons are targeted. But observers were impressed by the reasonable tone of Gorbachev's message, which appeared in an interview with the Communist Party newspaper, *Pravda*, and which, unlike similar statements by previous Kremlin leaders, did not contain the standard anti-American rhetoric. After years of stonewalled leadership, Gorbachev has discovered in Gorbachev an image-conscious political star. "Clearly, he is going to be a lot more famous than anybody we have dealt with in recent years," said a U.S. diplomat. "His more extensive life is more articulate. He projects better."

Gorbachev's statements were also well timed. His announcement was released on a quiet Easter Sunday, just as peace groups in Britain and West Germany were protesting against the arms race. And it coincided with three important visits to Moscow by foreign delegations. On Monday, April 8, a group of 18 U.S. congressmen arrived for talks on East-West relations. At almost the

same time, a high-level Chinese delegation flew into Moscow's airport to begin negotiations with Soviet officials on improving bilateral relations—an important aim of the new Soviet leader. Then, on Tuesday, Dutch Foreign Minister Hans van den Broek held Kremlin talks as his country's scheduled deployment of American cruise missiles, a critical political issue in the Netherlands.

While Washington officials openly admired Gorbachev's skillful presentation, they were not impressed with the content. Under the plan, Moscow said

U.S. officials were clearly irritated by Gorbachev's Easter initiative. White House national security adviser Robert McFarlane, referring to a similar Soviet missile freeze offer in 1980, condemned it as a "discredited proposal." And Paul Nitze, Reagan's chief arms control adviser, called the offer "sincere," adding that it represented a hardening of the Soviet position, not a concession.

Gorbachev wanted Gorbachev's missile freeze proposal as an apparent attempt to influence Washington's European allies. The Soviet move, however,



O'Neill (left), Gorbachev in image-conscious political bar sketches onto the world stage

that it would freeze the deployment of 50-500 medium-range missiles until November. The assurances would continue after that time only if the United States responded by suspending deployment of its own systems, the cruise missile and the Pershing II, in Western Europe. But NATO leaders (including only U.S. and Soviet leaders) in Europe while Moscow also includes British and French nuclear systems) and a memorandum by both sides would only consolidate a 10-10 Soviet advantage. Declared British Prime Minister Margaret Thatcher:

"The consequences of such a freeze would not be balanced, in what we seek, but superior Soviet superiority." By Western estimates, the Soviets have deployed 175 single-warhead SS-20s in Europe while NATO has so far deployed 102 single-warhead cruise and Pershing II missiles in West Germany, Britain and Italy—the first installation in a planned force of 275 new missiles.

They played out, experts in November, just when the Dutch government is scheduled to decide whether to join its allies in peacetime and deploy 48 cruise missiles. In the meantime, U.S. military experts feel, the Soviets would use the negotiations to finish construction of new SS-20s and "lead the combat" on new missile sites. In fact, one report last week said that Moscow had already begun work on the next generation of intermediate-range missiles, the SS-X-26, a system that would eventually render the SS-20 force obsolete.

Despite the rapid rejection by Washington and its allies, Moscow continued to promote Gorbachev's announcement as a "major new peace initiative." Gorbachev himself, in his evening with U.S. congressmen, told "the administration displayed absolutely unapproachable hearts" in describing his actions as propaganda. Emerging from the more than three-hour meeting, House Speaker



U.S. Pershing missile in West Germany: a "discredited" move to freeze medium-range forces

Thomas (Tip) O'Neill compared the Soviet leader to a smart New York lawyer. "He is a master of words and a master in the art of politics and diplomacy," O'Neill said. "Was he hard? Was he tough? Yes he is hard, yes he is tough."

Despite the atmosphere of mistrust, exchanges continued on the prospects for a superpower summit meeting. Reagan reiterated his desire for a meeting. Tip expressed just after Gorbachev took office, in a letter delivered to the Soviet leader by O'Neill. And when Gorbachev asked for a more formal proposal, U.S. officials said Reagan would provide one soon. But an administration spokesman simultaneously stressed that "much serious work" is required before a summit can take place. And some officials added that a simple meeting without a well-prepared agenda might have disappointing results. Then, at midnight, security adviser McFarlane, "reluctantly" Washington's stance, said that a pre-arranged meeting between the two leaders was possible, followed at a later date by a full-scale summit. The most likely occasion for a first encounter the 40th anniversary meeting of the United Nations General Assembly in New York in October.

In the meantime, Gorbachev is expected to continue building his image as

a reasonable man, willing to compromise. His last public relations opportunity, experts say, may be the 16th anniversary of the East-West Helsinki accords in Finland in August. Kremlinologist Jerry Hough of Duke University in Durham, N.C., noted that European leaders will attend but Reagan probably will not, leaving the stage to Gorbachev. Declared Hough: "We will say that 'We Europeans must solve our own problems' and he will say that the Americans just want Cold War."

Another priority for Gorbachev is improving relations with China. Reopened since the 1960s, the Communist giants have been moving cautiously toward improved relations for the past two years, and last week's announcements take in Moscow were the sixth in a series. The prospects for a thaw have brightened since Gorbachev succeeded Soviet President Konstantin Chernenko. In his first speech as Kremlin chief, the new

leader called for a "serious improvement" in relations with China. For his part, Peking sent Vice-Premier Li Peng to Chernenko's funeral with a message of condolences in Gorbachev from Communist Party General Secretary Hu Yaobang—the first party-to-party exchange in 15 years.

Western analysts say that Moscow, alarmed at rapidly improving relations between Washington and Peking, wants to neutralize the threat on its southern and eastern flanks from a possible hostile alliance of Japan, China and the United States. For their part, the Chinese have warned that the Soviets make no mention of the "Soviet obstacles"—large Soviet troop concentrations on the 5,000-km common border, Soviet support for the Vietnamese occupation of Kampuchea and Moscow's invasion of Afghanistan—before there can be a genuine warming. At the same time, Peking has reassured its new Western

friends that Sino-Soviet contacts will not mean abandonment of the West. Still, faced with a newly organized Moscow leadership, Washington is taking a careful look at how it deals with the Soviets.

For the secretary of State George Shultz asked Ambassador Arthur Hartman to return from Moscow to take part in a thorough review of U.S. policy. Among other things, the appraisal will help the administration to decide what stand to take at talks between Shultz and Soviet Foreign Minister Andrei Gromyko, scheduled for Vienna.

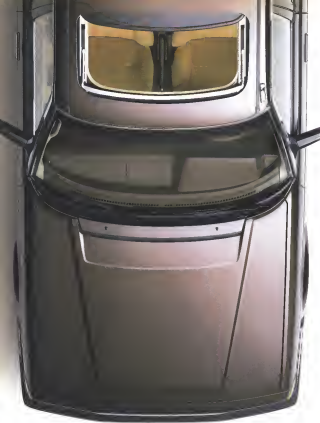
The two officials will likely discuss a Reagan-Gorbachev meeting and review progress of the first round of arms control negotiations. And, bracing against the possibility, they will try to snap up a patch toward better relations that would restore allies on both sides of the Iron Curtain.

W.M. Williams. Contributor in Washington.

Reagan a pre-summit







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## An opportunity denied

For many of its citizens, Brazil is the land of the future that never quite seems to arrive. The most populous (111 million) and undervalued nation in South America, blessed with vast natural resources and a hospitable climate, Brazil should be one of the world's great powers. Instead, poverty, corruption, dishonesty and, most recently, the debt crisis have conspired to rob Brazilians of their destiny. These months ago, when a handpicked electoral college named populist Tancredo Neves as president, it seemed as if Brazil might finally be starting down the long road toward stability and, perhaps, prosperity. But on the very eve of his inauguration, the 75-year-old politician was rushed to a military hospital in Brasília for what was termed minor intestinal surgery. Four weeks and seven operations later, Neves remained in grave condition last week—along with the broad coalition government he crafted for restoring democracy after three decades of military rule.

The nation's month-long agony deepened sharply last Monday, when doctors at São Paulo's Heart Institute, where Neves is being treated, announced that he



Tancredo Neves, newly elected president, struggling

that he had a generalized bacterial infection and could breathe only with the aid of a respirator. An emergency tracheotomy was performed, and his condition seemed to stabilize. But on Thursday, doctors revealed three new sites of infection in the abdomen, and surgeons operated again. While hundreds of Brazilians gathered daily outside the hospital to pray against the odds for his recovery, a presidential funeral jet stood ready in case of death to carry the body to Brasília for a formal lying in state. But even if Neves survived, doctors said, he faced an extended convalescence. As a politician, his focus was clearly spent.

In Neves's absence, his deputy, acting president José Sarney, remained in charge. A former official of the previous military regime, Sarney, 64, was never expected to wield power. He saw rules a coalition government that includes everything from classic conservatives to Brazil's Albanian-aligned Marxist-Leninist party "Under Tancredo," explains Mario de Almeida, editor of the newspaper *Folha de São Paulo*. "The diversity of the coalition was a strength for Sarney; it was a natural split built into government."

Already, signs of fragmentation are appearing, as right- and left-wing factions compete for hundreds of second- and third-level municipal posts left vacant by Neves. The issue of how gov-

erning over how scarce government funds should be allocated. The right-wing Liberal Front Party, with a strong political following in the northeast, wants to mount a relief effort in that region for 300,000 Brazilians made homeless in recent floods. The leftist Brazilian Democratic Movement Party, with more support in the industrialized south, is seeking a \$200-million bailout of the troubled São Paulo Bank (Moscov's, April 15). Sarney has promised a 100-day emergency funding program to ease social problems, including the 150-percent inflation rate. But the new finance minister, Francisco Damasceno, a nephew of Neves, has reportedly resisted social investment on the grounds that it violates his uncle's commitment to foreign creditors.

The new government's first real test will likely be labor unrest. Defeating attempts to defer strike action out of respect for Neves, more than 300,000 workers in the auto and metal industries walked off their jobs last week. Airport workers, teachers and other groups are now negotiating annual pay raises and a new national minimum salary must be fixed by May 1. Worried former planning minister Antônio Delfino Netto, "Wage policy is critical. If you lose control there, you'll have real trouble." To dampen inflation, the government has placed a 60-day freeze on prices. But few citizens believe that Sarney commands the political clout needed to press the reforms and sacrifices required to reduce Brazil's \$110-billion (U.S.) foreign debt load and restore economic health.

If Neves dies, Sarney would constitutionally inherit the Neves mandate to rule for six years. But, lacking both his own power base and personal charisma, the uncertain post is not expected to survive beyond November 1986, when congressional elections are scheduled. The vote may coincide with the summoning of a new constituent assembly to rewrite Brazil's constitution. Long before then, however, Sarney will face growing pressure to call down presidential elections, the first in more than 25 years.

As an anxious nation mourned its grim vigil last week, it was clear that the presumed hand of the new republic, a confused theme of the Neves campaign, was in serious jeopardy. A career politician, Neves had won the trust and respect of virtually every Brazilian power or bloc, winning consensus beyond the reach of other politicians. But he scripted all its operational authority in the new Brazil. And without him, the drama of Brazil's historic return to democracy remained an unfinished, confronting Brazilians with a test of their resilience and their resolve.

—RICHARD HUSE in São Paulo

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## A soldier for Allah



suicide attack victim

The preserved videotape, later shown on Lebanese television, showed a young girl in camouflage fatigues. "I am very religious because I am carrying out my duty to my people," declared 16-year-old Sana Mubarak. Shortly after, she dove a car packed with 440 lb of explosives into an Israeli army convoy last week, killing herself and two Israeli soldiers. The suicide attack, which raised fears of Israeli reprisals against Lebanese Shiite Muslims, occurred on a mountain road near Jezzine, 47 km southwest of Beirut. And it took place only days before Israeli troops withdrew to new positions along Lebanon's Litani River, 48 km north of the border. The new line put Israeli settlements in the Golan— for the first time since the 1982 invasion—within range of guerrilla rockets.

## Mission impossible

The option was careful but not encouraging. "We should be very careful not to raise expectations and not to give the impression that progress has been made," said US Secretary General James Pinckney de la Cruz last week as he ended a 30-day peace mission in the Persian Gulf, including stops in Tehran and Baghdad. There, waves of Iraqi jets roared attacks against Iranian positions at the southern war front within hours of the mediator's statement. Indeed, a solution to the Iran-Iraq war, the aim of Pinckney de la Cruz's mission, was clearly beyond his reach. In Tehran the Iranian leader insisted that Iraq must attack on civilian targets and cargo ships in the Persian Gulf and grant safe passage to commercial air traffic in Iranian airspace as a precondition to peace talks. Tehran also renewed charges that Iraqi troops were using chemical weapons, adding that the fighting would continue as long as Iraqi President Saddam Hussein was opposed. Later in Baghdad, the Iraqi urged Pinckney de la Cruz to condemn Iran for rejecting peace initiatives and rewarded their objection to any partial solution to the conflict, now in its fifth year. "Either a comprehensive and just peace or an all-out war," declared the official newspaper of Iraq's ruling party. The US chief did note that both countries "say they want peace and that my efforts should continue." But as the fighting resumed, few observers shared even that well-guarded optimism.

## Death at dinnertime

Located on the road to Madrid's Barajas Airport, the El Desembarco barbecue restaurant was a popular stopping point for diners. Many came from the nearby Torrejón air base, where several thousand American troops are stationed. Shortly before midnight last Friday, about 300 patrons were finishing their dinner courses when a powerful bomb—containing an estimated 44 lb of explosives—went off, causing the three-story building housing the restaurant to collapse. Fifteen people were killed and more than 100 were injured, including 14 American servicemen. Spanish police, firemen, Red Cross workers and US military personnel spent hours sifting the rubble for the victims. A terrorist group known as

the Bangsa Himmah and Freedom (BTH) promptly claimed responsibility for the attack, the fourth in the area in recent months. But an unidentified caller to a Madrid radio station asserted that the device had actually been set to go off later, at 9 a.m., when US servicemen are often breakfasting. Added the caller: "The bomb was meant as an attack against the Muslim armed forces. It was a mistake. We apologize to the victims." Earlier BTH communications have cited a campaign against "the Spanish army's interests and facilities," but many officials believe the real target is Spain's growing links with NATO, on which a national referendum is scheduled to be held in 1986.

## Reagan changes course

Almost 18 years after the fall of U.S.-backed South Vietnam to communist North Vietnamese forces, the United States is poised to resume its fight against communism in Indonesia. The Reagan administration signaled a major foreign policy shift last week with the announcement that it would consider giving military aid to long-termed non-Communist rebel forces in Kampuchea, the Indo-Chinese neighbor of Vietnam that used to be known as Cambodia. The U.S. decision reversed its previous arms-length attitude toward the slippery war between occupying Vietnamese forces and the rebel Coalition Government of Democratic Kampuchea—a three-pronged alliance comprising the communist Khmer Rouge and two non-Communist groups. It also confirmed administration support for a bill already approved by the U.S. House of Representatives foreign affairs committee that would give \$5 million in emergency aid to the insurgents. Although technically not a military aid package, the funds—channeled through Thailand—could be used for arms purchases. Military observers in Southeast Asia contend that the amount involved—if approved by the full House and Senate—will be unlikely to alter the military balance, now tilted heavily in favor of Vietnam. But it would constitute important political support, which would provide a major morale boost for the beleaguered insurgents, who have lost many major engagements. Kampuchea during Hanoi's recent dry-season offensives.

## A Sinai commitment



Nilsson, peacekeeping

The details have not been settled, and the cost of the mission has not been decided. But last week Canada agreed in principle to join an 11-nation peacekeeping force in the Sinai Peninsula between Egypt and Israel. About 100 Canadian soldiers, Defense Minister Erik Nilsson announced, would replace an Australian contingent leaving in April, 1986, but only after the treaty and conditions of their participation was negotiated with Israel and Egypt. Under the terms of the 1979 Israeli-Egyptian peace treaty, the 2,650-member multinational peacekeeping force patrolled the Sinai, which was seized during the 1967 Six-Day War and returned to Egypt in 1982. Canada already maintains an armed force of 800 in the Golan Heights bordering Syria and 18 in neighboring Lebanon. But the proposed Sinai contingent would be the first Canadian deployment in the Middle East not supervised by the United Nations.

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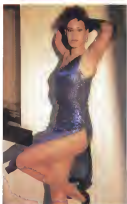
A MORE THOUGHTFUL LOOK AT LIFE.



Writer **William Kotzwinkle**, 40, author of the novel that was based on **Steven Spielberg's** script for the movie *E.T.* The *Home-Improvement* lives in solitude with his wife, **Katherine**, on the coast of Maine. "I have lived like this for 12 years because the environment is spiritual," said Kotzwinkle, who recently made a rare appearance in Boston to promote the publication of his latest novel, *E.T. The Book of the Green Planet*, a continuation of Spielberg's story. Kotzwinkle, who lived on a farm near Taymouth, N.B., in the early 1970s, has published 22 books, including *The Ship That Came Down the Glacier*, for adults and children and says he retains a special affection for the *E.T.* character. Declared Kotzwinkle: "He's not a human being but he has something in common to tell us about love. He has a deep feeling tempered by a marvelous sense of humor. He's not goofy. He drinks beer. He wears a wig. He's outrageous."

Singer and TV personality **Boyz n the Band's** **Boyz**, 33, who has entertained and educated millions of preschool children with *Big Bird*, *Grover*, *Bert* and *Ernie* on *Sesame Street* since it began in 1969, introduced his third Canadian-produced album recently on a concert tour that included appearances in Halifax, Toronto and Vancouver and

McGrath, 33, and a two-album set



Johnson: an act that 'spins over better in Europe'

concluded in Calgary last week. The New York-based father of five says that he "learned about the quality of Canadian children's recordings" in 1968 and asked his son, owner of the Toronto-based *Kidd Records*, to collaborate with him. "I think the children's artists did a wonderful job," said McGrath, whose current album, *Sing Along With Bob*, is the second of a two-album set and features Canadian recordings by *Jim Galloway* and *Quincy Tawford*. A vocalist who sang along with *Black Miller* on the popular 1960s TV series, McGrath says that he had "this acting experience" when he auditioned for *Sesame Street*. But he added that he was the part because the directors wanted the human characters to play themselves. Said McGrath: "It seemed strange to be paid for being just the way I am around the house." He added that he had to make one adjustment: "I practiced to yell at the kids on the show as much as I yelled at my own."



Kotzwinkle: a pattern

a *Monkey* opinionated water pitcher," he added, "my life would be complete." For her part, there is a determined to get involved in show business. "Once I have finished the collections and books that I am committed to," she said, "I would like to be a musical lighting consultant for stage, screen and historic sites."

—WRITTEN BY BETTE LAMBERT

Singer, film and TV performer **Barbara Johnson**, 30, says that after being her own boss as a cabaret act by entertaining "the next to nothing" in *Rocky's* nightclub in Toronto, she is ready for the European club circuit. "I did well in Paris when I was on tour with *Rock James*," said Johnson, "so I will go back there in the fall." Johnson toured with *James's* rock band as a backup singer for two years but went solo in 1976. Since then she has appeared in Toronto-area nightclubs, acted in two Canadian-made movies and, last year, starred in a Toronto production of *For Colored Girls Who Have Considered Suicide When the Rainbow is Enuf*. "I would like to stay in Canada," declared Swiss-born Johnson, "but what I do give over better in Europe." Johnson is financing her act with earnings from TV commercials and backing singing for recordings. But when she gets to Europe, she said, "I will have to sing for my supper."

Los Angeles-based *On the Border* **Kan Karneval**, 49, who plays Cliff Barnes, the last fell in archival *J.R. Ewing* (Larry Hagman), is scheduled to open Canadian collector *Cliff's* live. There's a recent jump in

at *Black Creek Pioneer Village* in Toronto on May 9. There, whose interest in karneval is now started in 1970, now owns 1,000 and is the author of *Old Times*. *The Karneval* was in North America, published in 1976 and now is in each printing. Karneval said that *There's* *karneval* interest has "become there were many things made to patterned glass," a style that he has been collecting for more than 20 years. Karneval also collects *Marshall Lincoln* memorabilia but he says that his passion for glassware centers on *Monkey* pressed glass patterns. "If I could find



Nakasone: a dramatic plea to his countrymen in the face of U.S. pressure affecting the life and death of our country

## COVER

# The new squeeze on Japan

By Hal Quinn

**T**he televised address was a formal display of a statesman's ability to appeal to his nation. When Yasuhiro Nakasone, Japan's 66-year-old prime minister, appeared before a nationwide Japanese television audience last week, his domestic viewers were captivated by his informal, comfortable style. But Nakasone's message transcended an audience around the world as well. In a major shift in Japanese trade policy, Nakasone announced that over the next three years his country plans to lower many of the controversial trade barriers that have sheltered its industries since the end of the Second World War. Striving the growing danger that the United States might launch a retaliatory trade war against Japan, Nakasone exhorted Japanese consumers to buy more foreign goods and announced a series of measures aimed at removing existing trade barriers. Then he declared, "If we do not solve the existing trade frictions today, there is a possibility that there will arise a very serious situation affecting the life and death of our country."

Around the world, trade officials met in hasty marathon meetings to assess the impact of Nakasone's surprise announcement. When they emerged from the deliberations their reactions ranged from skepticism to guarded optimism that Nakasone could fulfill his undertaking. In the United States, where recently—after years of complaints—frustration with Japan's closed-door trade policies has reached crisis proportions, White House officials were initially in a state of confusion over the Japanese premier's remarks. President Ronald Reagan's staff had received advance copies of Nakasone's text, but the politician digressed from his prepared statement and his "off the cuff" remarks so startled the Americans that White House chief of staff Donald Regan removed his address to a meeting at 6:50 a.m. to catch the U.S. reaction. Later that day Regan applauded Nakasone's initiative, but he also pointed out that the announcement "contains few new or immediate market-opening measures."

In Brussels officials of the European Community dismissed the Japanese initiative as inadequate. Said Willy de Clerck, an EC commissioner responsible for trade policy: "The measures are

modest in scope and uncertain in effect." In Canada, Japan's second largest trading partner after the United States, trade officials welcomed Nakasone's overture, but they said they are adopting a wait-and-see attitude to its potential impact. Said Harry Gossard Brown, Canada's ambassador to Tokyo: "Nakasone is calling for a whole change in the structural barriers that have blocked foreign trade in this country. Until now you would go into a Japanese store and find the foreign goods piled up in a corner."

**Before:** But clearly Nakasone's performance was by Japanese standards a national departure in the way the island nation deals with the world. And the message—that Japan is ready to listen to the complaints of its trading partners—took place at an opportune time. Indeed, his new commitment was the major topic of discussion two days later when the finance and trade ministers from the 24-nation Organization for Economic Co-operation and Development met in Paris for their annual meeting. The statement gave support to those OECD members who were campaigning for greater liberalization of world trade and helped to defuse the



Tokyo's Ginza district: making Japan the scapegoat for the West's economic ills

growing threat of a return to global protectionism.

Nakasone's gesture was a critical one—at stake in the current trade debate is \$12.7 billion (U.S.) worth of world trade. Last year Tokyo had a \$46-billion (U.S.) trade surplus with the rest of the world. And the imbalance has escalated in the past three years. The United States and Japan alone exchanged \$60 billion (U.S.) worth of goods last year, a 10 percent increase in trade with Tokyo, which had a 1984 surplus of \$27 billion (U.S.) with Washington. The European Community's trade deficit with the Pacific nation in 1984 was \$13 billion (U.S.). And despite large exports of raw materials, Canada's traditional trade surplus with Japan went into an \$80-million deficit last year.

**Next:** Nakasone may not be able to correct the trade imbalance enough to satisfy his angry allies. But his action last week provided his determination to try to shift Japanese consumers, companies and bureaucrats away from the protectionist mentality that has characterized the Asian nation for decades. Prompted by a hard-core strain of support restrictions and a bureaucratic mind-set of regulations, the tiny sliver of islands off the shore of mainland China has become an industrial giant. Japanese exports of motor vehicles, cameras, televisions, computer chips, watches, and audio and video equipment inundate the marketplaces of North America and Europe. Nor have the Japanese slackened their incentive pace. The latest examples of the nation's high-tech wizardry are currently on display at Expo '86, a showcase of technological feats near Tokyo.

In recent years Western nations have sent a steady stream of embassies to Tokyo, pressing for an end to the frustrating obstacles to imports. And the 80 nations have been the toughest hangers-on. In early 1988 the Community's hard-nosed approach paid off when Japan agreed an agreement to limit exports of goods ranging from tires to electronic components sent to Europe for a period of three years.

**Damage:** But for Washington a decade of polite political lobbying in Tokyo has produced only limited results. And this year congressional insistence over that lack of success has reached a peak. Increased because Japanese imports accounted for almost one-third of the total U.S. trade deficit of \$123 billion (U.S.) in 1984, U.S. legislators have called for harsh steps to redress the situation. In February, 18 politicians, congressmen Richard Schickel introduced a bill to levy a 20-percent surcharge on all imports from all nations unless they negotiate free-trade agreements. Although primarily aimed at the Japanese, the bill, which is still before Congress, would



Expo '86 showcases for an industrial giant sheltered by a minefield of regulation

#### COVER

seriously damage after trading nations, including Canada, America's largest trading partner. Indeed, economist James Greene, an executive director of the New York-based Conference Board Inc., "We have not seen protectionism on this broad a front since the 1930s."

**Feuds:** The current trade dispute began in March, shortly after President James Green, an executive director of the New York-based Conference Board Inc., "We have not seen protectionism on this broad a front since the 1930s."

can trade concerns—no angered U.S. politicians that both the House and the Senate passed resolutions urging Reagan to erect new tariff barriers to Japanese imports. And early this month the Senate Finance committee approved a bill that, if passed by the full Senate this month, would force Reagan to either win consent from Japan within 90 days or implement retaliatory protectionist measures against the Pacific nation. Disdained the Republican chairman of the committee, Senator Robert Packwood: "We are going to give them an eye for an eye."

War's Nakasone emphasized the seriousness of the retaliatory threats by the U.S. Congress in his televised appearance. Said the prime minister: "When we look back on the Second World War, the raising of tariffs and the building of

high barriers caused a slump and unemployment. That process may have been one of the causes of the outbreak of the Second World War." The Japanese leader pledged to end regulations requiring foreign medical equipment makers to submit their products to performance tests in Japan which duplicated those already carried out in the country of origin. He added that his government would "positively consider" reducing the 15-per-cent tariff on wood products starting in 1988.

**Free-trade:** At the same time, Nakasone expressed concerns designed to allow foreign firms to compete for business in Japan's newly deregulated \$15-billion telecommunications industry. He declared that government officials would simplify the complex licensing procedures and technical standards for telecommunications equipment that have traditionally frustrated foreign companies. Nakasone stressed that his government's intent was to give American businessmen an equal opportunity to compete with their Japanese counterparts. Added the prime minister: "They [if they fail to do well in Japan] it is their responsibility, not ours."

Sell, his efforts did not appear to have a significant effect on Capitol Hill. Said Packwood, who has earned a reputation as the leading "Japanese buster" in Congress: "As much as I admire the prime minister, our patience has been beyond the breaking point. The position is so great that even a badly crafted amendment could pass. It has become a tidal wave."

For its part, the U.S. business community also expressed skepticism over Nakasone's undertakings. Said John Stern, a Washington-based representative for the American Electronics Association: "We cannot be satisfied with vague words. We have to hear each regulator ring as well."

Even Japanese business leaders ex-

pressed doubt that Nakasone's pledges will have a major beneficial effect on trade patterns. Yoshihiro Inagawa, chairman of the Federation of Economic Organizations, criticized the absence of details as to how his government plans to eliminate restrictive regulations against imports. Said Inagawa: "I tell you, it will not change anything." For his part, Noboru Oga, president of the Japanese Chamber of Commerce and Industry, declared that even if all tariffs and restrictions were dropped, Japanese imports would not increase by more than \$5 billion.

**Threats:** Indeed, experts say that Japanese consumers are unsurprised in their loyalty to domestically made products. Said Loren Seto, senior vice-president of the Canadian Chamber of Com-

merce, "I don't think we can expect our own budget deficit and high interest rates to drive a major change in Japanese trade patterns." Added New York-based economist Alan Greenspan, who is a former chairman of the President's Council of Economic Advisors: "It may be surprising to look the Japanese, who I do not deny probably regard a little bit of building. But I affirm we think it is a terribly short-sighted policy."

Sell, economists say that the possibility of a trade war, caused by retaliatory moves against Japan in Congress, remains a serious threat. Indeed, William Shogren, an economist with Data Resources of Canada in Toronto: "This whole current round of expansion in the world economy is fuelled by interdependence. Trade is the catalyst to growth for every country in the world, and so

delphic-based Wharton Econometrics: "If the United States brought in protective measures, they would raise costs, hamper growth, hurt overall employment and depress world trade."

**Concerns:** Nakasone's statement and the threat of a disastrous trade war did have government investors meeting in Paris last week to agree on the need for global action to reduce export barriers. For three years the Reagan administration—with the support of Canada and Japan—has been lobbying for a fresh round of trade liberalization talks under the auspices of the General Agreement on Tariffs and Trade (GATT). But 90 members, led by France, have demanded that discussions aimed at reducing the international monetary system be held as well. Then, last week U.S. Treas-



Floor of the Tokyo Stock Exchange: anxious parallels with the postwar fever that preceded the Second World War

### Canada's major trade links (1984)



porter's international division: "You are looking at a society that is proud and self-confident to look across Japanese products." Added Lawrence Krohn, international economist for the Royal Bank of Canada in Montreal: "Despite Nakasone's plan, consumers do not change their habits overnight."

But some Western observers claimed that Japan cannot be blamed for all the problems of the international trading system. According to Charles Scholtz, the former chairman of President Jimmy Carter's Council of Economic Advisors, Japanese trade policy is not even the main cause of the large U.S. trade deficit with Japan last year. We had a \$100-billion trade deficit with Japan last year. We had a \$100-billion trade deficit with the world as a whole. We have in 1984 a \$100-billion trade deficit with the United States. We are now making the Japanese the scapegoat

can not afford to have it blocked. If the United States get up tomorrow, in world, other countries."

**Mark:** Economists point out that crippling worldwide protective tariffs were first enacted following the stock market crash of 1929. With the collapse of industry, massive unemployment and the onslaught of the Depression, virtually every nation established high trade barriers to protect what jobs remained at home. The barriers lasted until after the end of the Second World War, slowing the world's economic recovery. Said the Conference Board's Greene: "The conventional historical view is that the barriers to trade postponed recovery in the world economy by isolating each national economy and preventing the proper allocation of resources across borders. Added Fleming Larkin, senior chief international forecaster for Phil-

lips Secretary James Baker announced in Berlin that he would be leading a high-level international monetary conference sometime after June. That conference led to an agreement as a new round of GATT talks that a first date for the discussions was set, meaning some concrete action participants who said that talks on defusing trade tensions are needed urgently. Declared outgoing U.S. Trade Representative William Brock: "We need multilateral negotiations and we need them now. Otherwise, our business community will be able to accuse us, with some justification, that we did nothing while the trading system was breaking down around us."

With Peter McGill in Tokyo, Ian Austin in Washington, Peter Levin in Brussels, Lemmy Glynn in New York and Sandra Pike in Toronto.

## Japan's maverick leader

Yasuhiro Nakasone, Japan's blunt-spoken prime minister, declares his intent to change the unexpected, and last week he provided the latest confirmation of his maverick style. In an unprecedented televised appearance, Nakasone attempted his own version of a U.S. presidential "firewall" to rebuff the Japanese to buy more foreign imports. Costing while the relevant act that usually characterizes prime ministerial addresses, Nakasone delivered an informal discussion of trade policy, departing from his prepared text and using colloquial language—a rare innovation in a nation accustomed to formality.

Nakasone's casual manner caused only mild surprise among Japanese viewers. They are accustomed to his penchant for startling stereotypes. In three years as Japan's political leader, Nakasone has broken the mold of former prime ministers with his controversial political and economic policies and his outspoken style. At the prime minister himself said in a recent interview, "Often the tendency of Orientalists has been to be rather vague, opaque and fuzzy, but my style is different."

Even from Nakasone's appearance was his part in the stark and graphic world of Japanese politics. A handsome, ruggedly built 60-year-old, he is an impeccable dresser, wearing well-tailored suits with co-ordinated handkerchiefs and silk ties. His political style has shown a similar flair. Known for his fiery presence, Nakasone has displayed public speaking skills uncommon among the nation's previous prime ministers. Avers of his differences, Nakasone describes himself as an outspoken, risky, *My Life in Politics*, as the kind of prime minister chosen in times of violent upheaval and transformation, a powerful leader with clear vision capable of making bold decisions.

Still, Nakasone does have detractors. In Japan, where he has the reputation of being a political opportunist who conveniently switched allegiances numerous times in the course of his 38-year political career, critics have nicknamed him "Mr. Silverstein." The son of a lumber dealer, Nakasone is derisively to raise Japan's international political stature through his fiery diplomacy to a level more commensurate with its economic power—the nation's 1987 of \$1,160.4 billion is now half as large as that of the United States. Indeed, the Japanese leader's quick wit and rhetorical abilities have already won him the respect of

Western statesmen at various summit meetings where Tokyo's leaders have traditionally played a low-profile role. Most strikingly, Nakasone has forged a strong personal relationship with U.S. President Ronald Reagan. That rapport was initiated in January, 1983, when Nakasone and Reagan signed an agreement allowing Japan to export civilian technology with military applications to

defuse the atomic bomb explosion over Hiroshima which brought the war to an end. Said Nakasone years later: "The image of that white cloud has never left me." Still, after first being elected to parliament in 1947, Nakasone espoused causes such as disarmament and the peaceful use of nuclear energy. Nakasone has also long supported a revision of the 1947 peace constitution which was drafted by the military leadership of U.S. occupation forces. But Nakasone's efforts to revise the constitution—which declares that Japan may have military forces for defense purposes only—has encountered fierce domestic opposition, and he has had to shelve the



Nakasone: ardent nationalist and a penchant for shattering stereotypes

the United States. His relationship with the President was strengthened during a Washington visit in January, 1984, when Nakasone pledged to reduce the mass of tariff and nontariff barriers confronting U.S. exports to Japan. Indeed, the mutual tensions between the two leaders, and Reagan's belief that Nakasone is committed to opening Japan's borders, is one of the few factors preventing the outbreak of a trade war between Washington and Tokyo.

**Nationalism:** Nakasone's intense nationalism evolved over a political career that has spanned the decades since the Second World War. Nakasone served as a lieutenant in the Japanese army during the Second World War. Although he never saw combat, he did see from such

places. Said Nakasone, "I would not like to see Japanese society apart over this question."

**Media:** Away from the political arena, Nakasone relaxes by putting in his private office in the official residence in Tokyo's Kawasaguchi government district. He also practices tennis, a form of Buddhist meditation. Still, Nakasone's nationalistic and is even appeared during his lesser activities. While occupying his regularly waves tanks emblazoned with the rising sun, the national emblem. That same fervor was made strikingly clear in an emotional speech that Nakasone made during the 1980 election campaign. He said, we to make Japan as "unshakable as ever." —The Press, with Peter McGill in Tokyo

## Canada's tense trade ties with Tokyo

### Trading coal for cars



By Ann Walmsley

The dramatic announcement from Tokyo surprised trade experts around the world. From London to Seoul, businessmen scrambled to weigh the implications of Japan's bold pledge to open its doors to the world's exports. But external affairs officials in Ottawa who studied the 16-page text of Japanese Prime Minister Yasuhiro Nakasone's trade declaration last week found little evidence that Japan—Canada's second-largest trading partner after the United States—had taken any major steps to lessen trade frictions with Canada.

**Liberalization:** Canadian trade officials and businessmen contended that Nakasone's undertaking did not include an effort to lower Japanese tariffs and other restrictions on imports in all agricultural, fishery, forestry and most manufactured products. For their part, Japanese officials repeated that Nakasone's action as a major step toward greater trade liberalization. Said Jean McConkey, director general of external affairs in Ottawa: "This package is not going to have a significant impact on the competition of our trade with Japan." Added Frank Perrin, president of the Canadian Export Association: "I do not think I would wish only to Japan on the strength of this declaration."

After 32 years of trade surpluses of as much as \$1.4 billion with Japan, last year Canada had an \$80-million deficit. As well, Ottawa is dissatisfied with the sale of products flowing between the two

countries. The majority of Canada's exports are such sectors as products as lumber, coal and rapeseed, while imports from the high-tech superpower have been mainly motor vehicles and telecommunications equipment. For the past five years Ottawa has been pressuring the Japanese to admit more processed goods. Indeed, of the \$2.4 billion worth of Canadian goods exported to Japan last year, only \$181 million worth (or less than four per cent) were manufactured products.

The Japanese live in heaven with R.C. lumber and beefed with power generated from B.C. coal. They read in newspapers printed on paper made from Canadian pulp and fry seafood shipped in better and fresher vegetable oil made from Canadian rapeseed. But their chains of Canadian fish-related goods is restricted to such items as farm, office furniture, winter clothing, French foods made by McCain Foods Ltd., of Ploverville, N.Y., and luxury items. Motel Lorge Berlin, senior vice-president with the Canadian Chamber of Commerce's international activities. "The Japanese market is not made in luxury items."

But Japanese officials in Ottawa insist that Nakasone's statement will benefit Canada. According to Tadashi Tada,

minister at the Japanese Embassy, Canada's telecommunications and high-technology industries have the most to gain from the new policy. A key change by telecommunications companies, he said, is the simplification of technical standards that had formerly been used by the Japanese to keep most foreign telephone equipment out of the country.

**Forestry:** Still, the most disappointing feature of the Nakasone statement was its vague and modest proposals on forestry product imports. Nakasone declared that in 1986 he would consider lifting Japan's 15-per-cent tariff on plywood—a duty that limited Canadian exports to Japan to only \$5 million last year. But his policy statement overlooked more than a decade of complaints from Canadian forestry producers about Japan's 30-per-cent levy on dressed spruce pine and fir.

Food producers also pointed out that Nakasone did not remove quotas and restrictive standards on fruit and vegetables, or tariffs on other foods. Under the current levy system there is a tax of 20 per cent on frozen blueberries and frozen potatoes, 20 per cent on soy whey and 30 per cent on chicken, said Berts. "Japan imports \$10 billion in fruit from Canada. That is public when there should be a market for \$50 million in apples alone."

There are other strains in Canada's trade relations with Japan. In British Columbia, Japanese steel companies have romped on coal contracts. As well, federal Regional Industrial Expansion Minister Sinclair Stronach is deciding whether to accede to the demands of automakers and press Tokyo to remove its "voluntary export restraints" on Canada, which expired on March 31.

**Triangle:** Still, the most concern of the Canadian business community last week was whether Nakasone's new policy would avert an all-out trade war with the United States, which would hurt Canada. Said David Calver, president of Aluma Aluminum Ltd., and chairman of the Canada Japan Business Cooperation Committee: "Japan-U.S.-Canada trade is a triangle. Even if we cannot maintain our trade as long as the triangle is trading freely."

Stewart: a dilemma



With Ken Bell in Ottawa and Robert Peck in Tokyo



# An American threat to free trade



Kelleher, self-styled "trade enhancement" while Congress takes to the barricades

Even Ottawa trade officials, sensitive to even minor changes in Washington's mood, the complaints from Capitol Hill were endless. U.S. congressmen have been angrily condemning Japan for its reluctance to lower import barriers to foreign goods and endorse their \$37-billion U.S. trade surplus with the United States. But by last week the budding protectionist sentiment in Congress and the demands for retaliatory action against Tokyo threatened to sour the United States' relations with other trading partners—and cast new uncertainty over Canada's continued efforts to reach some type of free trade agreement with the Reagan administration. According to Kevin Galt, senior aide to Michigan Democratic Senator Donald Riegle, congressmen are concerned because Canada's \$14.9-billion 1984 trade surplus with the United States was second only to Japan's. And Galt adds: "They don't want to hurt a friend in Japan. But they have to find some way to take a slap at Canada to show they are even-handed."

**Tentativeness:** The protectionist mood in Congress is not shared by the White House. At the Summit Summit in Quebec City last month, Prime Minister Brian Mulroney and President Ronald Reagan signed an agreement committing them to "give the highest priority" to the reduction and elimination of barriers to cross-border trade. But the new tentativeness in Congress has cast doubt on Reagan's ability to convince U.S. legis-

lators to accept any free trade package. Rod Gottlieb, "Reagan would not have a snowball's chance in hell of getting a [working] [of trade barriers] through Congress now."

**Reassurance:** Reagan himself may have lost the prospects of a free trade initiative this month, by appointing U.S. Trade Representative William Brock to the new post of secretary of labor effective in May. Ottawa had regarded Brock

Yuttar: an alarming prospect



as a moderate who understood Canada's trade problems. Brock's successor is 50-year-old Clayton Yuttar, the president of the Chicago Mercantile Exchange, who was appointed by Reagan April 2. He will undergo Senate confirmation hearings in May. But Yuttar has already alarmed Canadian officials. Shortly after his appointment he described U.S.-Japan affairs as "the most important political and economic relationship by far," even though Canada is the United States' largest trading partner. A spokesman for Yuttar's office immediately offered reassurances that Yuttar "is fully aware that Canada is our largest trading partner."

**Enhancement:** Despite the rhetoric, Ottawa and Washington remain committed to easing the flow of the \$306-billion cross-border trade. Bruce Houston, chief of staff to International Trade Minister James Killebra, described the Yuttar appointment as "a bit of an interruption, but we continue to be optimistic." For his part, Killebra has carefully tried to avoid ignoring protectionist sentiment while promoting what he calls "trade enhancement" with the United States. His task is a difficult one. Reagan's with respect-based economies have generally supported freer trade as a way of securing access to the giant U.S. market. At the First Ministers' Conference in Regina last February, Alberta Premier Peter Lougheed argued forcefully for such an arrangement, followed by William Bennett of British Columbia, Brian Denham of Saskatchewan, John Buchanan of Nova Scotia and Brian Peckford of Newfoundland. But, significantly, Ontario Premier Frank Miller urged a cautious approach. Ontario's manufacturing industry has been the chief beneficiary of tariff protection.

Proponents of free trade point out that by 1987—even without any new trade pact—about 65 per cent of U.S. goods will move into Canada duty free and roughly 80 per cent of Canadian exports to the United States will enjoy the same benefit. But in order for Ottawa to reduce trade barriers still further, it will clearly have to avoid protectionist moves by Congress. Rod Charles Dorn, director of the Johns Hopkins Center of Canadian Studies in Washington, "It is necessary to negotiate the free trade 'insurance' policy now. The window of opportunity is open, but I am not sure how long it is going to stay that way."

—MARC CLARK, with William Gendron in Washington



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last year, was slightly over \$1 million." Added Edward Roberts, vice St. John's lawyer: "It was a fringing cash machine."

But by early 1981 the company was in serious trouble. Crobie USI's cash flow was hampered by principal and interest charges of more than \$300,000 a year on nearly \$5 million in debts that had been transferred to the company when Crobie Enterprises collapsed in 1980.

At the same time, Spellacy continued his heavy personal spending. He earned a \$222,000 annual salary, and leased a \$1,000-a-month navy blue Maserati Quattroporte. And one expense account included an \$5,680 claim for duty paid on imported wine. In 1982 the company also paid Spellacy a \$352,000 dividend, and it bought several hundred opals from him for \$152,000. Evidence presented at the trial also showed that from 1980 until its failure Crobie and Spellacy had an estimated \$8 million out of Crobie Offshore.

For Andrew Crobie, 52, Crobie Offshore's failure was the final blow to a business empire that at its peak in the mid-1970s employed 5,000 people in more than 40 companies with revenues of more than \$150 million a year. It was also a personal humiliation for a man who, by his own admission, is "fished with a little bit of ego."



Offshore drilling: lucrative contracts

Crobie inherited both fortune and position. His grandfather, Sir John A. Crobie, founded the family business in 1882, and Newfoundland's seat of government, Confederation Building, was built by the family firm. When his father, Charles Crobie, died in 1942, Andrew took over the family's interests in construction, insurance, shipping, fish products and Eastern Provincial Airways. (His brother John has not been involved in the family business since 1969.)

But Andrew Crobie kept his hand in politics as well. In 1969 he managed his brother John's unsuccessful campaign to replace Joey Smallwood as the head of the Newfoundland Liberal party, and in 1971 he ran Smallwood's last, failing election campaign. Crobie's political influence faded under the Conservative governments of Frank Miller and Brian Peckford, but he remained an influential presence in Newfoundland business circles.

Much less, however, is known about Richard Spellacy. The private, reserved and deep-water ship's master met Crobie in 1979, and in 1979 Spellacy married Charmaine, the younger sister of Crobie's second wife, Carole. That same year Crobie and his new brother-in-law formed Crobie Offshore.

For Andrew Crobie, creating the new division, which in early 1980 became a

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separate company, was a welcome upturn in a career that had suddenly gone sour. During the late 1970s rise of Creabie's company started to falter, the victims of high interest rates and a declining Maritime economy. In 1978 Creabie sold Eastern Provincial Airways, a \$35-million downtown St. John's office complex, Atlantic Place, which he had opened in 1975 and that had remained largely unrented, was sold by the Canadian Imperial Bank of Commerce in 1981. By early 1982 more than two dozen Creabie companies went bankrupt or were sold to help pay debts of more than \$38 million.

At the same time, Creabie's dock-making company, St. Lambert, Quebec-based Ambassador Manufacturing Co. Ltd., was \$5.9 million in debt—including \$3.75 million in loans guaranteed personally by Creabie to the Bank of Montreal. In a clever financial manoeuvre in May, 1983, he arranged for Creabie Offshore to take over Ambassador's debts and begin writing them off against Creabie Offshore's own equity.

But Creabie's other companies continued to deteriorate, and in July, 1982, the Bank of Montreal placed Creabie Enterprises into receivership, leaving Creabie Offshore as the only profitable concern. Later that year the bank helped to arrange a complicated financial manoeuvre that turned his \$3.75 million in

personal loan guarantees to Ambassador into a several claims against Creabie Offshore's assets.

With the debt issues temporarily resolved, however, a more serious problem arose. In mid-1983 Creabie's German partners, VTC, discovered that since early 1980 Creabie Offshore had been withholding the monthly ship rental fees for 30 days, rather than forwarding the money immediately to a joint company bank account used for the supply venture. The cash, which then totalled \$1 million a month, was deposited in interest-bearing accounts, and Creabie Offshore kept the earnings instead of sharing them with VTC. The Germans demanded their withheld money, but the company managed to stall them for more than a year.

Then, at a July 25, 1984, meeting in Creabie Offshore's office, VTC's president, Heinrich Sikera, insisted that the company immediately hand over \$677,000 in withheld ship rentals. Spellyay admitted that the money was not available. The Germans responded by refusing to give Creabie Offshore money to pay ship-related bills. Then the Newfoundland firm started to make making payments to some of its creditors. One company, a St. John's travel agency, even accepted some of the company's unpaid as partial payment of its overdue account. And a small Nova Scotia-based

shipyard, Mulgrave Machine Works, successfully seized one of the German ships, the *sv Kautzbars*, for \$62,800 in unpaid charges. But Sikera declared, "Sometimes in 1984 they [Creabie and Spellyay] began digging into our [VTC's] money in order to pay their own hefty salaries and meet payments on the Ambassador loan." The Germans estimate that Creabie Offshore owes them nearly \$2 million, and the court's accounting firm is now determining the exact amount owed.

By late November negotiations between VTC and Creabie Offshore to salvage the situation had broken down, and on Nov. 25 VTC petitioned the company into bankruptcy. Following the trial, trustees discovered that Creabie Offshore's bank account held only about \$10,000, while its unpaid bills totalled an estimated \$6.3 million.

Until the RCMP investigation is complete, observers say it appears that the damage to Spellyay and Creabie's reputations is greater than the harm done to their financial positions. In his four years as president of Creabie Offshore Spellyay received \$3.5 million in salaries and benefits. But Creabie still owns substantial tracts of St. John's real estate. "Andrew's tough," said an associate who knows him well "He's got his fingers in a few places. I don't think he's been written off."

## A drama in the oilfields

Oil experts called the planned construction-dollar oil sands plant Canada's first test case for the decade. Economists predicted that its construction would create thousands of jobs. At the same time, major oil firms said that they welcomed the chance to invest in the huge plant. Clearly, after several years of despair in the oilfields, last week's confirmation that federally owned Petro-Canada of Calgary is planning a \$6.1-billion oil sands project near Fort McMurray in northern Alberta provided firm evidence of a powerful resurgence of the oil industry.

Despite a worldwide oversupply of oil and the prospect of a further drop in prices, industry analysts declared that the current economic and political outlook makes megaprojects more viable now than at any time since 1980, when the National Energy Program was introduced. Interest rates are relatively low, inflation is minimal and construction and equipment costs are competitive. As well, the "Western Accord"—the energy agreement recently signed by Alberta and Ottawa—recognizes a number of issues that industry spokesmen say had reduced the funds



Hopper, fat death and the fate of jobs

available for capital projects.

Indeed, there are already signs of quickening activity in the western oil sector. Only two days after Canada's learned of Petro-Canada's plan, David Mitchell, president of the Edmonton-based Alberta Energy Co., told shareholders in Calgary that the company is already reviewing an additional \$1-billion expansion of the massive Suncor plant in Fort McMurray. That follows a \$1.2-billion expansion of the plant undertaken earlier this year. And in Toronto, Robert Heide, president of International Pipe Line Ltd., told his company's annual meeting that although the firm is in the midst of a \$100-million expansion of its pipeline system in Western Canada, the system may have to be expanded again soon. Added Heide, "Who knows what the energy sector will do in stimulus drilling in Western Canada?"

Some oil executives say that the agreement was unnecessary in economic terms because the industry was already recovering. From its 1980-1981 slump, Joe Wierman, president of Ultramar Exploration (1983 Ltd. of Calgary, for one), said that exploration and drilling activity almost reached a record high in 1984, a sign that the industry was already returning to health.

But Glen Berthel, an oil analyst with Merrill Lynch Canada Inc. of Toronto,

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need that the accord is essential to a full recovery of the western oil industry. In fact, he says that to succeed means only, new, riskier, nonconventional oil projects—such as oil sands plants—will require even more tax breaks than those contained in the Western Accord.

The precedent for negotiating special deals above and beyond existing tax structures is already established, Berron said, with the federal and Alberta governments having "sharply reduced their tax take" from projects such as the Sverdrup plant, which was completed in 1979.

For his part, Hans Maier, technical director of the Canadian Petroleum Association (CPA) in Calgary, said that because Petro-Canada's proposed pit mining and refining plant uses more technology, it will require substantially higher tax breaks than have been received by other oil projects. Said Maier: "The plant will not step at the bitumen stage [used to make asphalt], but will process the oil sands all the way to synthetic crude."

Indeed, Petro-Canada president Bill Hopper has already indicated that his company needs a special tax deal. He told the House of Commons national resources and public works committee in February, 1984—when the company's \$1,000-barrel-a-day plant was already in the planning stages—that the "cost of mining oil sands today is so close to the international prices of crudes that it is not very profitable and there is no room for a government take."

Industry experts agree that from a political perspective it is an excellent time for Petro-Canada and other companies to negotiate for lower taxes and royalties. Mulroney's Tories are the oil and gas industry as the economy's "engine of growth." According to oil industry insiders, federal Energy Minister Pat Carney privately told Hopper that the wants of oil sands companies launched as soon as possible.

Oil sands plants are attractive to governments. "There are no other projects in Canada with the same job-generating potential," said Paul Bell, president of Calgary-based consultant Canadian Oil Patch Analyst. The Alberta Chamber of Resources in Edmonton estimates that a megaproject of the size Petro-Canada in planning would provide 10,000 direct and indirect jobs during construction and 6,000 permanent jobs.

The most sensitive factor facing Petro-Canada's project is the price of oil. Robert Price, an analyst with Peters & Co., a Calgary investment firm, notes that, when oil prices are deregulated on June 1 under the Western Accord and are allowed to find their own levels, "the price of Canadian synthetic crude, currently \$41 a barrel, is going to fall by \$5 or \$6, because it is overpriced

relative to the world market."

But Berron claims that a temporary decline in oil prices may actually be beneficial for Petro-Canada during the six or seven years needed to build the plant. Added Berron: "Lower oil prices have been a major factor in reducing interest rates, which in turn lowers the cost of money." He declared: "Declining prices impede high-risk exploration, but oil sands (unconventional) are known, long-term reserves. And in the long term, prices will rise."

For Carney, the revivification of Petro-Canada's plans came at an opportune

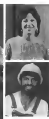
time. He is striving to convince that the estimated \$600 million (the oil companies will save in taxes this year because of the Western Accord) will be used to increase their profits rather than to launch a recruitment drive. Early this month Carney told the Canadian Association of Oilwell Drilling Contractors that she expects the "investment rates will be very high." With 48 oil sands and heavy oil experimental and pilot projects already planned or under way in Alberta, it is evident that the oil industry is responding to better times. —BARRY NIELSEN in Calgary



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# The minister for joint ventures

By Peter C. Newman

Last week's salvage operation of Donat's Windsor paper mill, which allowed the *Government* to claim the political credit while putting up only \$30 million of the required \$117-million subsidy, provided a rare public glimpse of Sinclair Stevens emerging from the Ottawa wilderness. As the federal minister responsible for industrial expansion he has been hiding his face, avoiding new approaches to the readjustment of Canada and paying special attention to the potential of trade around the Pacific Rim. His most notable comments have involved the revitalization of Cape Breton and Vancouver Island—"the two Capetans of the North," as he calls them.

In an exclusive interview Stevens recently told me about these and other ideas, including the notion that between domestic and foreign investment there is an as yet unexplored middle ground of joint ventures. That notion, he judges, will finance Canada's future economic growth. "I've recently been to countries such as Singapore, Germany and England, making the point that Canada is a great stopping stone into the U.S. market and that if they decide to do something they should do it with Canadian partners," he told me. "At the same time, a lot of Canadians feel it's a pretty competitive world out there and that there would be great advantage in looking up with someone who has technology and distribution know-how."

He visualizes fifty-fifty partnerships but strongly advocates a minority position for outside investors in vital industries such as mining and energy. An early example of how such a formula would work in the early spin-off by Ottawa of some major Crown corporations, including de Havilland and Canada's both companies will be sold on a joint-venture basis.

Stevens's most interesting ideas concern the establishment of tax-free "enterprise zones" in such areas as Cape Breton and Vancouver Island. "There is no reason why it wouldn't be feasible," he says, being recently fearful similar "enterprise zones" in Minster, P.E.I., and near London, England. "In the past, we have been too disinclined to make innovative moves that have international implications. Some of the bureaucrats are telling me that there may be problems with a zone, yet the United States has already designated 170 zones. Why should we be the most rightmost nation in the

world and let everybody else reap the benefits?"

Stevens has an internal task force studying the idea and is particularly anxious to launch the Cape Breton experiment. At the moment, Ottawa is spending \$300 million a year on ferro, as well as subsidizing the non-nuclear heavy water production on the island, funds that could be devoted to much more productive efforts. "The greatest problem is transportation," he says,



Stevens taking Canadian partners

"because no manufacturer who has to compete for world or even domestic markets wants to be at the extremity of the country, away from his customers." The big advantage is southern Ontario is that within about 300 km of Toronto you have 300 million of the wealthiest people in the world. But to go down to Cape Breton and you're immediately put a very big transportation problem to

overcome. Instead of handing out grants and subsidies, Stevens wants to use the tax system to equalize transportation costs for industries willing to reverse the approach would be to formalize Cape Breton (and later Vancouver Island) as tax havens, with a corporate levies against co-operating enterprises until they start to turn a profit.

Stevens has already retained Coford Data, one of the largest computer companies in the United States, to do a feasibility study (along with the Royal Bank and Clarkson, Gordon), because the U.S. firm is involved in similar schemes in five other countries. "Their projections are fantastic," he says, and that was all he would tell me. But he was grinning.

On the other side of the world Stevens is trying to put together joint ventures that would attract major amounts of investment capital from Singapore. Again, he is selling the idea that they should use Canada as a stepping stone into U.S. markets. One Singapore government fund alone has an \$11-million surplus willing to be invested in safe havens overseas. Stevens is particularly high on a joint venture with Singapore's United Overseas Bank, which would also start Canadian capital flowing into mainland China. (The bank is currently financing a hotel in Shanghai.)

The other new direction that has caught the minister's fancy is the formation by Canadian business (with majority government participation) of overseas trading corporations that would be permanently on the ground in Asia, ready to execute deals on the spot. "At the moment," he explains, "if any company over there, it takes 24 hours just to arrive, they have a brief meeting and then they have to fly 10,000 miles back." To facilitate such a scheme, Stevens has recommended to cabinet that the revised competition act not apply to joint ventures abroad, so that exported goods can have fast passage. He also wants to put our trade commissioners in the field on quotas, so that they can spend their time working on specific deals instead of spending time generating goodwill.

What does the ambitious Mulroney minister plan for an overseas life? He won't say, but he recently had a secret meeting with Edmund de Rothschild of the British banking family, and at the top of the agenda was a plan to build a second multi-billion-dollar power development on the lower Churchill River. By the end of the meeting, Stevens and the two were calling each other "Bibi" and "Widi."

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# A new promise of equality

By Robert Miller

The language was unequivocal and the overall principle—equality for everyone under the law—was beyond debate among most Canadians. But the legal and social consequences of Section 15 of the Canadian Charter of Rights and Freedoms, which came into effect this week, remained far from clear. Lawyers and legislators alike expected a spring flood of litigation from pressure groups and individuals impatient to establish their constitutional rights. As well, despite three years' advance notice, the provinces were uneasily prepared to deal legally with equality rights, a concept almost as old as civilized society. And even the federal government appeared uncertain about the wisdom of untrammeled equal rights. Said Justice Minister John Cross, whose department is responsible for constitutional matters: "We know that there are many instances of discrimination, or discretion and choice, throughout our legislation and our policy. The question is whether it is proper discrimination, discretion and choice."

**Questions:** To try to answer that question, three months ago Cross announced a parliamentary committee to conduct a series of cross-country hearings on "the complex social issues" arising from the Constitution's guarantee of actual rights. It is not scheduled to report until August, even though Section 15 of the Charter became law on Wednesday, April 17—three years after the Constitution and the rest of the 42-section Charter were proclaimed (page 50). In its blanket guarantee of equality rights and its general proscription of discrimination, Section 15 is in apparent conflict with many of the approximately 1,100 existing federal laws. Still, Ottawa and most of the provinces have been extremely cautious about rewriting legislation to make it conform to the Charter.

According to Section 15, every individual in Canada is equal before and under the law—"without discrimination based on race, national or ethnic origin, color, religion, sex, age or mental or physical disability." On the surface, the wording appears to disallow such ancient-age provincial legislation as a minimum age for licensing alcoholic drinks or for consuming alcoholic beverages. It may also outlaw such long-established practices as the

armed forces' barring women from combat roles and banning homosexuals from service. As well, Section 15 mandates public sector legislation providing for mandatory retirement based on age, including airline pilots and police officers. And it apparently means that public employees of both sexes should re-



Cross' uncertainty over equal rights

ceive equal pay for work of equal value—a long-sought objective of women's rights advocates.

The Charter is the supreme law of the land, but the equality rights section in subject to at least some constraints. Section 1 of the Charter says that all rights and freedoms in Canada are subject "to reasonable limits prescribed by law," consistent with society's best interests. Although some civil rights activists regard Section 1 with suspicion—perceiving it as a loophole which

federal and provincial lawmakers could use to deny some equality rights—most legislators consider it to be a necessary safety device to protect society from excessive applications of Section 15. According to Wayne Mackay, a constitutional law professor at Dalhousie University in Halifax, the courts will move cautiously in dealing with challenges under Section 15. Said Mackay: "You would wipe out most legislation if the Charter's prohibition of discrimination is taken too broadly."

Section 15 is expected to generate a sustained legal debate, particularly before the Supreme Court of Canada. But most legal experts say that the section is not retrospective—that is, it does not apply to actions, however discriminatory, that took place before April 17. And there is general acknowledgment that if only covers actions by governments or government-regulated bodies, leaving the matter of private discrimination—in such areas as accommodation, disputes and private sector employment practices—under the jurisdiction of the country's various human rights commissions.

**Uncomprehending:** Because of the broad scope and scope promising wording of Section 15, its implementation was deferred to allow the provinces and Ottawa time to seek out and amend conflicting legislation and to let each show existing government practices an mandatory retirement for civil servants at age 60. So far, only Quebec—which did not sign the 1981 federal-provincial constitutional agreement and which protects the rights of its residents through provincial statutes—and Manitoba have dropped that requirement. The federal government has moved to change fewer than 60 laws to make them conform to the Charter. The changes were centralized in a omnibus bill—C-22—and principally concerned mandatory retirement in various Of the federal laws revised, only 15 were thought likely to conflict with Section 15. For one, unlike their male colleagues, women working on ships covered by the federal government could not have their paygoes sent directly to their homes.

Most provinces have begun to review their statutes, but they—like Ottawa—have been slow to begin rewriting legislation. So far, only Manitoba, Alberta and New Brunswick have begun to make new laws conform with Section 15. And in introducing its

omnibus bill this month, New Brunswick pointedly avoided two key issues: equal pay for work of equal value and mandatory retirement at age 60. For its part, Saskatchewan completed a review of its legislation last year, releasing a white paper identifying 40 laws that violated the Charter, and Justice Minister Gary Lane has said he will introduce an omnibus bill to amend or repeal them during the current legislative session. For his part, James Sprott, a provincial justice department lawyer in Nova Scotia, which has identified but not yet moved to amend more than 100 Charter-conflicting statutes, and last week, "We are probably not the only province with

head of the Canadian Advisory Council on the Status of Women. "Anything which would have saved as lengthy court procedures and the money involved would have been welcome."

**Questions:** But there were powerful arguments against taking any hasty action—by governments or legislators. At the time he presented the parliamentary committee, Cross published a discussion paper which raised a series of perplexing questions. For one, the paper asked whether abolishing mandatory retirement, which clearly discriminates against people as the basis of age, would be consistent with the government's goal of creating rewarding employment

cases are sometimes taken by groups largely as a way of publicizing their grievances, and that is an improper use of the courts."

Still, some organizations have already decided that they will carefully selected cases to court—and women—in the best way to guarantee equality for women, native people, the handicapped and the poor. For dedicated activists, the proclamation of Section 15 was a cause for celebration. Said Bruce Tannen of Ottawa, a spokesman for the Legal Education and Action Fund (LEAF): "I think Section 15 has marked a big change that has already taken place in Canadian society, and it is going to



LEAF members Beth Symes, Marlene McPherson, Sholeh Day raising money to fight for single mothers and women in prison

doing whether the foodstuffs will open after April 17."

**Nations:** Oppressive critics and some organizations lobbying for change in Canadian society have harshly criticized Ottawa's cautious approach to the equality rights section. Declared Liberal critic John Nantais: "The government could have dealt boldly and courageously with the issue of equality."

At the same time, some lawyers advised activist groups not to rush as they should be to court and risk a narrow ruling which might mean long-term damage to the cause of equality. Said Andrew Roman, a lawyer and executive director of the Toronto-based Public Interest Advocacy Centre: "These kinds of

for paying people entering the work force. For another, it asked whether discrimination merely if all people who are confined to institutions should be allowed to vote.

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stimulate an even greater change." LEAF is a nationwide women's group which has raised more than \$250,000 to help finance test cases for women seeking their rights under the section.

**Equality:** To help LEAF's cause—organized groups try to raise as much as \$30 million during the next five years—and to celebrate the proclamation of Section 15, no fewer than 800 people paid \$50 each for tickets to an April 17 Parliament Hill party billed as "A Day with Equality." The function was orga-

nized by a steering committee of Ottawa women including Maureen McDerm, wife of Ontario Affairs Minister Joe Clark. Although 1047 members are reluctant to discuss specific cases, the organization says that it planned to hire a permanent executive director and that it will establish a list of test cases worth taking to court. Among them, single mothers being deprived of family allowance benefits simply because there is a

guardian and principal. Since then the Construction has provoked almost 2,000 court challenges on issues ranging from Sunday shopping hours through wheelchair privileges to the right to enter service to the equality of roadside breathalyzer tests where a potential defendant has no access to a lawyer. And Section 15 is expected to lead to court challenges on issues as diverse as a woman's right to have an abortion and a

man's right to be a soldier or a police officer. The law will provide a steady source of income for lawyers—and place an enormous burden on judges ruling on the cases before them. The Supreme Court of Canada already has agreed to hear 30 Charter-related cases, but Chief Justice Brian Dickson said that there are merely "the tip of an enormous iceberg." Declared Dickson: "Perhaps no one anticipated the breadth, the diversity of the questions which have come to fall upon the judges' shoulders."

Canadian Civil Liberties Association general counsel Alan Berkey, for one, said that making equality more than a high-sounding principle is going to cost a good deal of money. Real Delawere's Mackay says, "Governments have not thought much about affirmative rights. Equality under the law could require all government buildings to be fully accessible to the handicapped." The financial issue is now before the parliamentary committee studying Section 15. As a discussion paper outlining its responsibilities declared, "Correcting an inequality may result in increased costs to a program, which could mean reduced resources for other programs. Since Canada has limited resources, the effects on society as a whole of increased costs must be kept in mind."

**Fighting:** Clearly, for all its potential for change, the proclamation of Section 15 only marks the beginning of innumerable debates, court battles and financial decisions. In some cases Section 15 may not be the right instrument for fighting discrimination. For his part, Gordon Fairweather, chief commissioner of the Canadian Human Rights Commission, says he does not see the use of discrimination against women under the Indian Act. Currently, Indian women, unlike Indian men, lose their status if they marry a non-Indian. But Fairweather says he favors a parliamentary solution to that problem instead of a court decision striking down that section of the act. As a result, Fairweather said that he is waiting to see how Section 15 is used—or misused. Concluded Fairweather: "I have an anxious feeling of anticipation, a great feeling of pleasure about Section 15. But, he said, "I am not going to be sending up any fireworks."

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under the law and has the right to equal protection of the law" has enormous significance, going far beyond the equality provisions in the 1960 Canadian Bill of Rights. They were limited to federal jurisdiction and did not take precedence over other federal laws, but the Charter theoretically reigns supreme.

In Toronto four lawyers planned to test that definition immediately by introducing seven cases under Section 15. Among their challenges, one on behalf of 10 injured employees, arguing that they should have the right to choose between

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Police attack in a breathalyzer test a potential defendant has no access to a lawyer

man living in the home pension. While based on the expectancy which needs to women paying more money to acquire the same pension benefits as men, and inferior prison facilities for women.

**Freedom:** Another group planning legal action to enforce equality rights provided by Section 15 is

Ottawa's Advisory Resource Centre for the Handicapped. Although such says it is waiting for news, spokesman Gail Crozier of Toronto declared, "We will litigate any worthy test case." For the handicapped, Section 15 appears to offer the prospect of access to public buildings, public transportation and employment.

When Canada's Constitution became law in 1982, it translated abstract guarantees—based on English common law and dating back to the signing of the Magna Carta in 1215—into written-in-stone

prisoner's right to have books and magazines while in solitary confinement. Said Elizabeth Atkinson, a Toronto corporate lawyer: "It is accepted that Section 15 will be the most widely litigated section of the Charter."

Likely, the guarantee that every individual is equal before and under the law and has the right to equal protection of the law" has enormous significance, going far beyond the equality provisions in the 1960 Canadian Bill of Rights. They were limited to federal jurisdiction and did not take precedence over other federal laws, but the Charter theoretically reigns supreme.

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Wash. Michael Rose in Ottawa and correspondents' reports



# A vast array of fundamental freedoms



Anti-queue missile demonstrations: despite an estimated 1,700 Charter-based cases, there have been no startling reforms yet

By Ken MacQuinn and John Barber

**T**he constitutional debate preoccupying Ottawa was likely far from Joseph Cook's mind as he stood in his girlfriend's Canteen in a strip near Prince Andrew High School in Dartmouth, N.S. Indeed, when city police pushed through the crowd of teenagers who had clustered around his car, the 21-year-old had more immediate concerns. The reason he was carrying 20 individually wrapped pieces of lambchops in the trunk of his pants. He was later convicted of possession of a narcotic for the purpose of trafficking and sentenced to three months in jail. But the timing of Cook's arrest, in October, 1981, was fortuitous for him. In November of that year Ottawa and nine provinces finally agreed to bring the Constitution—excluding a historic Charter of Rights and Freedoms—home from Britain. And in March, 1982, the appellate division of the Nova Scotia Supreme Court ruled that the law under which Cook had been convicted violated the Charter. In a new trial he pleaded guilty to simple possession. And instead of a jail term he was freed.

**Revealing:** Three years after this week Queen Elizabeth II bowed as Ottawa returned to surrender British control of Canadian constitutional affairs and to proclaim the new Charter. With that, she established unprecedented preced-

ents for a sweeping array of fundamental freedoms and rights. Since before the provisions dealing with so-called equality rights became effective this week, Canadians had launched an estimated 1,360 Charter-based court cases. Despite their prime minister Pierre Trudeau's prediction that "the day-to-day lives of Canadians" would change, the process has yet to produce any startling reforms. Said Graham Gatten, a federal justice department lawyer who monitors Charter cases: "It is pretty difficult to think of a case that has people where they live."

Still, many legal experts say that the process has created a new mood of self-confidence. Writes Joseph Magner, a University of Ottawa law professor: "Apart from criminal justice, Charter-based decisions have hacked away at the shackles stifling our sense of individual autonomy, creating a healthy skepticism of power to speak in the Canadian personality."

And although no meaning is still obscured by more than a thousand conflicting challenges and judgments, according to James MacFarlane, director of the Saskatchewan justice department's constitutional law branch, it stands as "the most significant legal development in the history of Canada." For his part, Toronto civil rights lawyer Clayton Ruby declared, "It's a great time to be a lawyer."

Many of the Charter-based argu-

ments that courts have heard so far were desperate attempts by accused people to escape almost certain conviction as serious charges. Others, including the conviction of two Alberta convicts that they had a constitutional right to taxpayer, teacher and teacher's union shows while incarcerated, bordered on the frivolous. And despite the success achieved by some of the more important challenges in lower courts, few have emerged from the appeal process for a definitive judgment in the Supreme Court of Canada. So far, the high court has delivered only four significant interpretations of the Charter.

**Challenged:** But those decisions have forced fundamental changes in language laws, the rights of refugees, equality rights and powers of search and seizure. As well, there are about 50 appeals that the Supreme Court is about to hear. Among other things, the results will determine whether Canadians will be able to shop freely on Sundays and whether the cabinet decided to allow the United States to test the low-flying cruise missiles over northern Canada can be challenged. The courts may also decide whether companies are obliged to hire and promote specific quotas of women, blacks, bilingual people and members of other groups to meet the requirements of the Charter's "affirmative action" provisions.

Already, the Supreme Court has invoked the Charter's full power when



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necessary. Last July the court rendered its most dramatic Charter verdict when it struck down a controversial portion of Quebec's language law, Bill 101, which restricted the province's public schools to children of Quebecers educated in the province. The court found that the law violated Section 23 of the Charter, which guarantees an education in either English or French anywhere in the country where numbers warrant.

Earlier this month some of the Supreme Court justices cited the Charter when they ruled that alien claiming refugee status cannot be deported without having the opportunity to testify at an Immigration Appeal Board hearing—a decision that will affect about 30,000 people. And in 1984 the court decided that the federal Customs Investigation Commission conducted an illegal search in the offices of the Edmonton Journal in 1980, violating the Charter's guarantee that "every one has the right to be secure against unreasonable search and seizure," said University of Calgary law professor Christopher Ley. "This was one of the biggest Charter cases. The decision tells us that they will use their power under the Charter, that they are not going to enunciate it like they did the old Bill of Rights."

**Rulings 1985.** The court has also served notice that it will only invoke the Charter when necessary. Last month the justices avoided ruling on the Charter's freedom of religion provisions when they agreed that Nova Scotia lawyer Roseanne Skole-Graham and five fellow parishioners of the Roman Catholic Church in Stellarton, N.S., were not guilty of creating a disturbance when they took to take communion in violation of the parish rule. Skole-Graham had argued that the church ban on kneeling constituted her religious freedom, but the court decided merely that her act did not constitute a disturbance.

The most important religious freedom case yet heard by the Supreme Court grew out of even stranger circumstances. In 1980 the owners of Calgary's Big M Drug Mart argued in court that the provincial Lord's Day Act—which they had contravened by opening their store on Sundays—violated their freedom of religion because it gave special importance to the Christian Sabbath. The Alberta Court of Appeal agreed, and the province argued the decision to the Supreme Court last spring. Although the court has not yet issued its ruling, the current state of the law has rearranged most of Alberta's malls and major department stores to incorporate some days a week.

Among legal experts, many of the earliest Charter judgments resulted from criminal cases. And although judges have been unsentimental in applying the Charter in such matters, some of their

decisions have ruled against the new Constitution in a criminal's best friend in Manitoba: one of the first Charter rulings freed a man charged with robbery and invading and entering because the judge said that a 361-day delay between the initial charge and the arrest violated his right to be tried within a "reasonable time." Other courts have refused to admit evidence seized by the navy with the aid of sweeping writs of assistance. And several have found



Skole-Graham arguing against a ban on kneeling

"reverse onus" rulings similar to the one that saved Joseph Cook. In those cases the judges struck down the Narcotic Control Act section that requires some people caught with illegal drugs to prove they were not selling them as well.

More disturbing is the possibility that the Charter may prove to be a refuge from prosecution under the so-called hate laws and other laws like those Ernst Zundel of Toronto is appealing his recent conviction of falsifying history on the grounds that he has a fundamental right to freedom of expression under

the Charter. For his part, president Toronto criminal lawyer Morris Manning said that Zundel stands a good chance of winning (page 56). Declared Manning: "If he comes, any way he wants about history, then freedom of speech is meaningless." Alternatively, the Zundel case could set a valuable precedent in interpreting the Charter's definition of a "reasonable limit" on the freedoms it is designed to protect.

It will probably be years before the Supreme Court rules on the constitutionality of hate laws, although numerous Charter judgments in lower courts have already upheld the Charter's bias in favor of the individual as opposed to the state. For one, the Alberta Court of Queen's Bench struck down sections of the Canada Elections Act which were designed to limit election advertising by organizations not directly affiliated with political parties. Alan Hunter, acting as counsel for the National Citizens' Coalition, argued that the law, in effect, restricted freedom of speech.

**Scrambled:** At the same time, the state has shown itself quick to circumvent judicial decisions based on the Charter which it finds unpopular. Federal Justice Minister John Crosbie scrambled earlier this month to introduce temporary revisions to the Customs Tariff Act after the Federal Appeal Court ruled that the act was too vague in its description of obscenity, a ruling that temporarily opened the border to hard-core pornography and hate literature. Ontario faced a similar problem when the province's Supreme Court ruled that the Ontario Censor Board violated freedom of expression by interfering with the definition of obscenity "to the whim of an official." But the province responded by reconstituting the board under another name and equipping it with detailed criteria for rating, cutting or banning films.

Three years after its proclamation, a living Constitution continues its slow evolution. The only certain legacy of the Queen's visit is a new mechanism in Canada—an unwritten pact to assure that any law is beyond challenge. And the courts have indicated a clear willingness to support that mood with cautious but liberal judgments—judgments rendered in the full knowledge that ultimately they will restate the nation. As Justice William Estey of the Supreme Court of Canada wrote in the court's first Charter ruling: "The Charter is designed and adopted to guide and serve the Canadian community for a long time. Narrow and technical interpretation, if it is motivated by a sense of the uniqueness of the future, can stifle the growth of the law and hence the community it serves."

With correspondents' reports.

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# Picking the Charter's biggest winners

**Morris Manning**, 45, is one of the foremost criminal lawyers in Toronto and a leading authority on the Canadian Constitution and the Charter of Rights and Freedoms. Last November he successfully defended Dr. Henry Morgentaler and his other physicians on charges of conspiring to procure an illegal abortion. Manning spoke to Maclean's Staff Writer Shona McKay on the effects of the Charter's equality provisions.

**Maclean's:** Who are going to be the big winners when the Charter's equality provisions take effect?

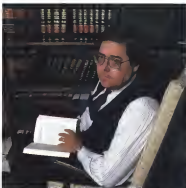
**Manning:** The lawyers are always the big winners. Who is going to be the biggest winner? I think the people of Canada as a whole are going to be better off. Ten years from now we will have a better way of life because we will have governments that are being called to task by the courts and being forced to justify to us to improve how they are spending their money, why they are limiting rights in the licensing fields and in the workplace. I think we are all big winners.

**Maclean's:** Surely the Charter will dramatically affect the young courts' operation.

**Manning:** Very much so. It means that the lawyers will have to start looking to the sociologists and psychologists and statisticians, economists, political scientists, to assist the court in determining whether a particular law does in fact discriminate on the basis of race or sex or equal protection and benefit of the law. It means that the judges are going to have to be more creative because they are going to have to find interpretations in the law.

**Maclean's:** You recently defended Dr. Henry Morgentaler. Now the Crown has appealed that Ontario jury verdict. Is the government subsidizing Morgentaler's case?

**Manning:** In the Morgentaler appeal I acted as the principal attorney general to fund the case, particularly since it was an appeal by the Crown. They have turned me down. So I am asking the court for costs on a solicitor-client basis because there is an emerging women's rights law. Former attorney general Roy McMurtry said that because of the appeal—which I totally disagree with, of course—the disease would have the opportunity to bring these issues into the appeal court. But I don't think that's right, because, basically, he is not going to pay. It is unfair to have a person who is acquitted dragged into the appeal court while the former attorney general signs on the line. And, '60, is a great opportunity to



Manning: a better way of life as governments must justify limits on rights

marshal all your constitutional arguments, and then, on the other hand, the new attorney general says, "We are not going to pay for it." If the government does not willingly fund constitutional challenges, it should be made to do so by the courts. Otherwise, you have a situation where you have a right without a remedy.

**Maclean's:** Will this prevent other challenges from suing the equality provisions?

**Manning:** It will depend on individual people wanting to court to test the validity of laws against Section 15 as a standard. That is very time-consuming and costly. It means that handicapped individuals who want to test the equal benefit of public transit laws—saying that they cannot have equal benefit of the law because they cannot get onto streetscars and so cannot get to jobs—those individuals will have to come to court individually or collectively and the funding will have to be done by organizations.

**Maclean's:** Will corporations have the same rights as individuals under the equality sections of the Charter?

**Manning:** The courts will have to interpret the word "individual" and decide if

it can refer to a corporation. I see no reason why a corporation cannot claim equal benefit of the law because it is not just a matter of discriminating on the grounds of race, color, sex or age. Obviously a corporation cannot have any of these attributes. But certainly a corporation can be discriminated against economically. The big question is whether the Charter will be held by the Supreme Court of Canada to apply to the private (individual or private sector). In my view, there is no reason why it should not apply. Then the philosophy is to limit it to what's certain and avoid anything by which it is process exclusive to Milton Proctor of Toronto, using several financing costs to provide both safety and protection for the final framed reproduction and is guaranteed to be both safe and secure in color and in the clarity of detail associated with the work of Canadian Krieghoff.

**Maclean's:** Do you think that Section 15 might be too broadly worded or extensive in scope?

**Manning:** I do not think it is going to be a problem for individuals and their rights. I think it is going to be a problem for governments and their laws. Governments will have to justify limiting individual rights and freedoms and they will have to justify discrimination against people by reason of the laws or the application of the laws.

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# The new approaches to back pain



Met with patient specialists currently agree that a sedentary lifestyle and an airt body are most likely to cause back pain

By Ann Finlayson

Putting out the garbage or even dusting furniture—simple tasks that most people take for granted—can be agonizing for Elaine Drew. The 28-year-old Toronto housewife was in a car accident in 1988 and, although she did not sustain any major injuries, she regularly suffers severe back pains, causing her to bed for several days at a time. As well, the trials of labor were short compared to the sustained back pain she endured both during and after her two pregnancies. Then, when she married last month that a friend had died, Drew suffered her worst attack ever and she spent a week in bed with shooting pains in her back and legs. Said Drew: "It was the most painful thing I had ever experienced. It was excruciating—I was fit out."

At some point in their lives, eight out of 10 Canadians suffer at least one spell of back pain that incapacitates them for a week or more. For most, the agony is short-lived. But backache is a leading cause of worker absenteeism and a major drain on health insurance and workers' compensation plans. Last year back problems accounted for one-quarter of all compensation claims in Canada. In Ontario alone the Workers' Compensation Board awarded \$206 million in 1993 in compensation and medical payments

for back injuries sustained in the workplace, and the province's workers lost about 2.8 million days on the job due to back injuries.

The near-universality of backache ensures steady employment for an array of specialists, which maintains a long tradition of often contentious disagreement about both its causes and the best way to alleviate it. But significant advances in diagnosis and a growing

understanding of how the mind and the body can conspire to torment backache sufferers have opened new avenues of relief. Said Dr. Stanley Gershenberg, a consulting orthopedic surgeon at Toronto's Sunnybrook Medical Centre: "As we understand more, we are all better able to educate our patients about what has happened to them. That alone can make a dramatic difference."

Back pain usually affects men in their early 30s and women a few years later. But it can strike anyone at any time. Currently, specialists agree that a sedentary lifestyle and an airt body are most likely to lead to back pain. Said Myerston Hunt, a physiotherapist and program director at the Canadian Back Institute in Toronto, a private clinic which specializes in the management of spinal disorders: "I used to refer to the problem as *homo sapiens distorce* because it really begins when man first stood upright. But now I think that it is more a case of *homo sedentarius*."

Indeed, the incidence of back pain is closely tied to the rise of desk-bound or routine jobs, although the recent fitness boom has shown that overly vigorous exercise can also cause it. But the spay often arises for no obvious reason. And when it does, the severity of the pain usually does not indicate an equally serious problem. Despite such possibilities as rheumatoid arthritis and spinal



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tumors, the causes of even the most severe backaches are usually much less threatening.

Specialists estimate that 80 per cent of lower back pain victims suffer from one or more of these identifiable syndromes. The pain usually strikes the lower back, which supports the most weight. Post-jointed degeneration, the first syndrome, occurs when one of the bony and discous vertebrae in the vertebral column, usually as the result of aging, lose some of their resilience and shrink.

With age, this natural drying-out process actually ratchets the spine and reduces back pain. But it can also cause one of more factors in the long agony that thick vertebrae—to become misaligned. That can create additional stress on joints, which can cause pinched nerves, muscle spasms and exacerbating pain.

The second syndrome is the familiar but mysterious "slipped disc." That occurs when a disc ruptures as a result of age or injury, causing its jelly-like interior to bulge or even to break through the ligaments that surround it, sometimes putting pressure on sensitive spinal nerves. More commonly, the same pressure occurs when worn and dried-out discs flatten and push out beyond the spine, creating the third type of backache: the pinched nerve. All three syndromes can cause muscle spasms, the contraction into a hard mass of one or more of the many small muscles that support the back. The pain from muscle spasms in the lower back can travel up the spine or as far down as the knees, which makes it difficult, if not impossible, for the sufferer to complete the normal functions of the spine and for his doctor to treat it.

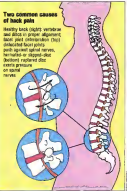
Research has dispelled many of the myths that traditionally surrounded back pain, and most medical practitioners now use broader, more traditional terminology. It is no longer precise enough to call lower back pain lumbago or to use the anachronistic terms at the top of the pelvis blamed for every twinge and pain. Discs no longer "slip" and "slide" no longer "thrive" or "die." But the most dangerous myth—that most back pain cannot be prevented by exercise, posture and relaxation techniques—has proven harder to dispel. "Part of the blame for that can be laid on doctors. They are a new breed to cure back pain."

For her part, Hunt works closely with Toronto orthopedic surgeon Hamilton Hall, whose 1989 best seller, *The Back Doctor*, will appear in bookstores across

Canada this fall in a revised and expanded edition. In the book Hall criticized his colleagues for confusing and frightening their patients. Declared Hall, "In many instances, I'm sure, it's purely unintentional—simply a matter of their being less sensitive or less adept at interpersonal communications than they might be." He added that family doctors "are uneasy with back pain because they find it tricky, to diagnose and unsatisfying to treat," and surgeons find it "so boring" because the treatment needed is likely to be nonsurgical.

## Two common causes of back pain

Heavily back (right) vertebrae and discs in proper alignment that just compression (left) displaced back joints, pinched spinal nerves, herniated or slipped disc (bottom) ruptured disc creates pressure on spinal nerves.



Many medical officials say that Hall's book sparked a minor revolution in the way doctors deal with their long-suffering patients and in the way patients themselves view their aching backs. Hall also confirmed a widely held suspicion: that chronic back pain is rarely just a physical problem. Indeed, some specialists claim that in 60 per cent of all back pain cases such elusive factors as stress, depression and mental attitude play a major role. Said Dr. John Rasmussen, professor of medicine and anatomy at McMaster University, "It is not so much in your head as it is in your behavior—social stresses and strains, overeating, weak abdominal muscles, constipation." Without question, back pain has reached epidemic proportions in North America. It is not a major problem, for example, behind the Iron Curtain. Similarly, most experts agree

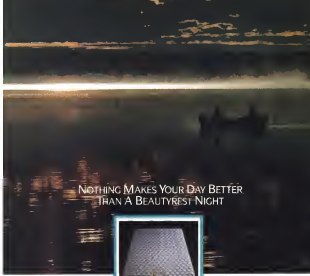
that the mainstream approach to back pain has changed substantially over the past decade. Said Hunt, "If you went to a convention of spine people 30 years ago, all you heard was talk about surgery. Now, all the talk is about exercise and how to avoid surgery."

Still, surgery is sometimes unavoidable. The most common surgical procedure for the relief of back pain is a discectomy—the removal of a ruptured disc, which is occasionally followed by a second operation, called a fusion, to join two vertebrae and stop movement at the joints. The procedure is often effective, but there is an alternative: the injection of an enzyme from the pancreas, called chymopapain, which dissolves its gelatinous core and reduces pressure on the surrounding tissue. A controversial procedure, it was banned in the United States in 1970 after a study questioned its safety, but Canadian surgeons have continued to use it successfully, and the U.S. Food and Drug Administration recently revoked its ban on the substance.

Back researchers have also made progress in developing diagnostic procedures that are less potentially harmful to back pain sufferers mostly by reducing the amount of radiation aimed at patients who in the past were subjected to frequent X-rays. Doctors also rely less on myelograms, complicated and painful radiological procedures that require the injection of dye into the spinal canal. Said Dr. Stephen Tredwell, pediatric orthopedic surgeon and director of the spinal clinic at British Columbia's Children's Hospital in Vancouver, "There has been enormous progress in making diagnostic procedures safer. Even the dye used in the myelograms is much safer than it was 10 years ago."

As researchers learn more about how to diagnose and treat the malfunctions of one of the body's most complex mechanisms, the medical community as a whole is learning how to understand and treat the even more complex relationship between the back and the brain. As a result, treatment is likely to improve. But the prospect of a medical cure is more distant than ever. For one, recent research in Sweden into artificial discs proved disappointing. Still, the route to a cure through prevention is better marked than ever before—for every home advertisement willing to turn the very chair in front of the television for the exercise mat on the floor.

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## Replay for a crowd pleaser

**T**he recent hit star-studded film of characters. Claus von Bülow, the dagger Danish-born financial adviser whose 1982 trial on two counts of attempted murder of his New York, R.I., socialite wife, Marsha (Sissy) von Bülow, drew worldwide attention. Last week entered the Supreme Court in Providence, R.I., to face the same charges again. Convicted in 1982 of inflicting his wife with near-fatal doses of insulin that have left her in an irreversible coma for four years, von Bülow, 68, last year won an appeal that overturned the original verdict because the state had obtained some evidence unconstitutionally and illegally withheld other information from the defence. But last January, Rhode Island Attorney General Arthur Violet said that the state would try again. Declared Henry Gensura Jr., Rhode Island assistant attorney general: "This case has everything—money, sex, drugs, the jet set, even the killer and the maid."

Indeed, the Atlanta-based Cable News Network is already planning to carry large daily portions of the legal fireworks—expected to begin next month after jury selection—across the United States. Prosecutors will once again argue that von Bülow twice tried to kill his wife with insulin, hidden in a black minibar case in his closet, so that he would be free to enjoy his \$10-million inheritance from her \$10-million fortune. As well, von Bülow wanted to marry his mistress, former *Dark Shadows* soap-opera actress Alexandra Isles, who testified that she had pressured von Bülow to leave his wife—helping to convict him three years ago. Prosecutors charge that the plan went very wrong after the family maid found the minisbar before Sissy von Bülow lapsed into a second, irreversible coma in December, 1982. The maid alerted Alexander and Annette-Laurie von Bülow, Sissy von Bülow's children from a previous marriage, who notified authorities.

For their part, von Bülow's lawyers plus a co-counsel that Harvard Law School professor Alan Dershowitz, chief of the defence team, said will "rip apart the government's case." They will certainly make an effort to destroy the credibility of Sissy von Bülow's children by attempting to prove that the von Bülow family lived in the jet set's fastest lane. Declared Dershowitz: "We now know that Claus von Bülow was not the only person in the household to have had access to syringes and drugs."

—LENN GUNN in New York

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# Doing less can be the better way

By George Bain

It's within months, Communications Minister Marcel Maréchal's task force on broadcasting is to get its collective mind around what should be the objectives of public policy in broadcasting, the proper roles for the CBC and private broadcasters, the needs of the provinces, the public good, and the special groups within it, including native peoples—all the while keeping in mind the government's cultural and economic priorities—the only decent thing to do is testing soils, how low and with it. The case of Canadian law, however, one small question has been posing me that I hope the task force might ask: money all that is needed for the CBC to save Canadian culture?

In the past few months the air has been loud with cries that Canadian culture is doomed if the CBC can't offer \$75-million cut in its support from the public treasury. Our children will grow up with their little minds warped by watching American programs. Our very sovereignty will be imperilled. All of which may be true, but if it is looking backward here—how much money would have been needed to keep us from getting to the point at which \$75 million would plunge us into the abyss? The parliamentary appropriation for the CBC had been going up steadily, by tidy increments, to \$921.4 million in 1994-95. True enough, the appropriation has not kept up with inflation, but even taking inflation into account, the spending rules were down by less than one per cent over seven years. In a time of restraint, that does not seem a lot.

One of a whole package of documents on "the prices on Canadian airwaves" put out in January by the Toronto-based Alliance for Canadian Broadcasting said, "What has to be done?" It answered its own question: "If losing three-quarters of our airwaves to another society and culture is acceptable, then nothing has to be done." But, the alliance added, "If we are determined to resist our national culture," several things must be done, beginning with increasing the role and funding of the CBC.

But what if money is not the sole determining factor of what Canadians watch? What becomes of the argument of more money equals preservation of the culture? Public broadcasting in North America was pioneered in Canada; it came later to the United States. Is there not, then, something ironic in the

fact that Canadians are major supporters of Public Broadcasting System (PBS) stations in Europe, Maine, and Spokane, Wash.? To a speech last fall in Calgary, Mark Steiner, professor of The Journalist, rejected not as a model for Canada. But he also disconcertingly characterized its dramatic programs as "more British than CBC."

Given, then, that there is an evident demand for foreign programming, not given further that the great cry of the CBC lobby is that we are being engulfed by American programs, and given still further that as a nation of money we often outstep the disparity in resources between the United States and Canada, is not some diversification of our imported viewing in itself worthwhile? If we cannot afford to produce all our own programs, should we not consider going some distance along the CBC route and seeing what else can be done in the rest of the English- and French-speaking world?

Is it not also fair to ask whether the

***'The air has been loud with cries against CBC cuts, but is money all that is needed to save Canadian culture?'***

CBC, if its true concern is with good, Canadian-made material, has been quite willing enough to make use of the resources of the National Film Board (NFB), which manages to run quite a few Academy Awards? The NFB series *Win*, aired by the CBC in 1988, was a magnificent example of what is possible, it was also an exception. Its seven one-hour segments constituted seven weeks of the very program that the CBC boasts is the early production stage in 1993-94. That year the CBC also bought seven coproductions. But our films have a serious tendency to turn up in the afternoon, ghetto or in midweek, when sensitive segments a greater concern to protect the exclusivity of CBC staff than the promotion of Canadian culture.

It is also a fair question whether it reflects more on the paranoiacism of the public treasury or on the quality of judgement of CBC management when it is said, in unexamined terms, that "the entire budget of the English network television department is about \$36 million." In 1984 CBC management, at that

of any corporation, had funding choices to make—on, for example, between the drama department and ritual dance-to-dance coverage of the Los Angeles Olympics and the pagan wall, which, even by CBC figures, cost as much as all of English-language drama. If the corporation's response to two admittedly legitimate news events was excessive, it becomes greatly unfair to complain that the public was deprived because another department went short.

Another question that may be asked is whether the CBC's coverage of public affairs is as good as the corporation claims to be. Last February CBC President Pierre Jusséault said in Winnipeg, "I take great pride in the fact that CBC Winnipeg's local news program, *520 NEWS*, leads the local news services at 6 p.m. every night." He may well have done. But it is equally to say, as he also did, that "perhaps the most joyful for the measurement of the broadcaster's involvement with the surrounding community is the case of the audience for local news programs" without adding that his Winnipeg example was the exception. In Ottawa, a city in which the audience might be presumed to be exactly the CBC's most, *CAN*, the CBC affiliate, outpicks the opposing CBC 6-7 p.m. news show—by 3.5 to 1—as the CBC national news at 11 p.m. does the CBC's 10 o'clock National, although by a smaller margin.

Not in this a local Ottawa observation. Similar results occur in Toronto, Vancouver, Calgary and other big cities across the country, although less so in small- and medium-sized cities. No one, least of all the CBC itself, which makes a practice of George and how little private broadcasting spends on programming, would argue that money is the determining factor in these results.

The question—here, at least—is not whether public broadcasting is needed in Canada or deserves to be handily funded, it is and does. But whether it follows from that, as the CBC lobby suggests, that the CBC way of doing things is unquestionably and invariably right, and that nothing is needed but to get up the money and let the CBC get on with it, is highly debatable. Perhaps the CBC can do more with what it has, the French-language network somehow manages to produce 1,500 hours of programs for \$28.2 million, compared with 1,000 hours of \$100 million for the English. Perhaps the CBC should do less—and do it better. But the idea that any possible fault can only be with the taxpayer is seriously unappealing.

## CRIME

# A questionable vintage

By Stuart Logie

Washed around a table in a smoky tavern in north-end Montreal, a customer and a well-known owner are making deals with a wine salesman who comes to business cards and whose corporate affiliations are enigmatic. The meeting is brief, culminating in a quick payment of cash to the salesman. There are no order forms and no invoices. Later that night an unmarked van pulls up to the back door of a local wine import company. The door security guard on duty looks the other way as the driver quickly loads several cases of wine and speeds off to make his deliveries under cover of darkness.

Over the past two years Quebec police have observed many such transactions and seized more than 20,000 gallons of unmarked bottles of wine and half a dozen delivery trucks. Indeed, the authorities estimate that Quebec's bootleg wine business could cost the provincial government millions of dollars a year in lost revenue. Nor-



Alcohol, vintners under suspicion

mally, Quebec City collects about \$40 in taxes and charges on a case of wine that retails for about \$65. By contrast, the black-market price for a case of red table wine, which on average costs \$52 to produce, is about \$85. "We don't find anything equipment anyone," said one Montreal monthly airport detective who asked not to be identified. "Instead, we are finding trucks loaded with unmarked bottles of wine. It is the new bootlegging business, and we believe we have gotten to just the tip of the iceberg."

The decline of a traditional bootlegging industry and its replacement with a black market in wine reflects a wider social trend away from hard liquor, according to police. Also, they say many criminals of the sort who previously would have operated stills now favor the more lucrative drug trade. But the new black market in wine are not harmless criminals. Indeed, they are licensed vintners who let some of their wine, which is either imported in bulk or fermented from imported grape concentrate, go out the back door unmarked. Their customers are caterers and restaurateurs and bar owners who purchase black-market wine from the vintners, directly or through a middleman. In bulk or in unmarked bottles. Usually, it ends up in barrels as "house wine."

Clare Plante Lanthier, publisher of *Le*

# CRIMINAL

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PARTICIPATION



*Service magazine, which has reported on Quebec's liquor industry for the past 13 years, says that with its continuing growth the black market is becoming a major scandal in the Montreal wine business. Explained Pierre Laramie:*

"The wine industry here is desperately seeking ways to overcome its reputation for being completely artificial and highly political, and in a sense this reputation is deserved. For one thing, we do not grow our own grapes. The existence of a black market in wine will only make that problem worse, because people will have reason to doubt the

quality control in the industry."

Officially, the provincially run Société des Alcools, which controls the distribution of wine throughout the province, disavows theories about large bootlegging operations. Said the Société's president, Jean-Guy Lord: "We have been getting plenty of wrong rumors about a large black market in wine, but so far the police have not found the big stuff, so to speak. And if there was a big black market, I think I would have heard something." But in private, many provincial officials disagree with Lord's assessment. Indeed, one highly placed So-

cité official, who insisted on anonymity, estimated black-market wine sales at \$20 million a year.

By February both Quebec's justice and industry ministries were noticeably concerned about the black market that they elicited a crackdown on the practice. As a result, Montreal police last month made their biggest seizure ever. They laid charges under the liquor laws against Vincenzo Martini, owner of Monte Italia Bay, a supplier of wine-making equipment; the Vitis Santa Maria catering company; and a vintner, Les Vins Corbi, all based in Montreal. A preliminary hearing is scheduled for April 15 in the Quebec Superior Court. In addition, Quebec's provincial police say they are on the verge of laying charges against other companies suspected of supplying wine to the black market. Conviction on a first offense carries a maximum fine of \$50,000, a second offense can cost a vintner his license.

But police sources admit that the latest raids will do little to halt the illegal trade in wine. Over the past two years they have charged four vintners with similar crimes but only obtained one conviction. The problem is that police must prove company officials "knowingly and willingly" participated in the illegal trade.

Les Vins Corbi faces one charge of selling wine illegally, but its founder and president, Giovanni Nigro, insists that all he did was to sell grape concentrate to someone who, he suspects, later sold it as wine. Said Nigro: "I can sell grape concentrate to anyone. The problem is that the concentrate is brewed into wine and so the police think I am selling wine." He added that selling concentrate is a common practice both in Toronto and Montreal. "Why are the police picking on me?" he asked. "I think it's hypocritical."

Over the past two years Quebec's wine industry has benefited from deregulation, which, among other things, has allowed Quebec vintners to import wine in bulk, bottle it and sell it under their own labels. But Pierre Laramie says that a scandal now would almost certainly hurt the image of the industry among foreign suppliers and jeopardize plans to export Quebec-bottled imported wine to the United States. Said Pierre Laramie: "I am in touch with a French supplier of bulk Chateau de Beaulieu wine who's prepared to stop shipments if it looks as if his wine is being used in the black market. A scandal like this can be very damaging for a wine company."

Indeed, nothing could be worse for the industry and a vintner. But police are optimistic about their chances of making the latest charges stick. Said one detective: "It will be business as usual when this is over." ☐

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## SCIENCE

### A genetic 'fingerprint'

The discovery of deoxyribonuclease acid (DNA)—the cell substance that contains an individual's genetic information—has provided the key to modern biology. But eight years ago, when several researchers simultaneously found that man's molecular structure included a specific section called an *allele*, the scientific community did not fully realize its significance. Now, a British research team at the University of Leicester has established that across Canada a code unique to each individual, and that this "genetic fingerprint" can be taken from a small blood sample. Because the code varies only slightly among relatives, the discovery is already being used in Britain as a paternity test, and forensic scientists may soon be using it to identify criminals. Said Alan Jeffreys, head of the Leicester team: "If you recover a fresh blood sample from the scene of the crime, you should be able to extract a DNA fingerprint. If such a fingerprint matches the suspect's, you have positive identification."

According to Jeffreys, genetic fingerprinting of semen samples will also be used to identify sexual offenders. But he added that its applications could go well beyond the field of forensic medicine. Indeed, medical geneticists in Britain are beginning to use the genetic fingerprint in their work. Declared Jeffreys: "It provides a way of looking at a potentially large number of very useful genetic markers. That way, you can hopefully find some characteristic in the fingerprint which is a large family race along with a given genetic disease." He added that this would make diagnosis easier and faster.

Other scientists, however, are more cautious about the fingerprint's potential. Michael Philip, for one, assistant section head of biology at Toronto's Centre of Forensic Sciences, said he doubted that the fingerprint would ever be widely used in sexual cases. It is because in court the legal issue usually involves the question of sexual consent, not of the attacker's identity. For his part, Dr. Irwin Tulian, a molecular geneticist at the University of Toronto, also said that the Leicester discovery, although important, is not a major breakthrough. He added, "I think it will be developed, but if I may use an old cliché, it will not run away."

—CARLA SYKES/LEI



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## A channel to the stars

Last week Toronto producers Alvin Lysaght, 33, and David Pritchard, 36, discovered one of the best-laid plans are apt to go awry. An unseasonal ice storm interrupted the launch of their innovative rock program that was to have been transmitted live by satellite to 30 AM radio stations across the country. As a result of a massive power failure, The Canadian Countdown aired on only half that many stations. Still, Countdown seems destined to become a hit with rock music fans. The weekly three-hour program invites listeners to speak to their favorite rock stars, including Bryan Adams and Housemartins. Said Lysaght, 34, program manager of *Crow* in Windsor: "It is almost five we had a syndicated program that is representative of the Canadian music scene."

Indeed, Countdown is the first live-by-satellite rock program in Canada. In addition to the phone-in feature, the new show plans to offer exclusive interviews, industry gossip and the current hits. But by April 29 it will be facing major competition from *Rockline*, the



Lysaght, Pritchard: rock by satellite

most successful live-by-satellite program in the United States. Originating in Los Angeles, *Rockline* will be broadcast on FM stations in 11 Canadian cities. And *Rockline* is devoted exclusively to live interviews with stars. Said Joseph Owens, manager of Triumph, a Canadian group that has appeared three times on the program: "It is a very sophisticated show with a reputation for treating Canadian artists well. Countdown will have to show us that they will do the same."

Three years ago Lysaght and Pritchard, both internationally renowned producers, decided to fill what they saw as a gap in Canadian coverage. Said Lysaght: "The many syndicated shows were having problems transferring to Canada because they were too Americanized." By September they will have 30 stations participating and they will be producing a separate live program this summer.

The plan does not seem overly ambitious considering the popularity of live rock shows. *Rockline* has expanded its market from an initial 16 stations in the United States to the current 97 across North America, with an audience of almost five million. Said Owens: "These shows are like big, electrified fat chips. The kids love them, and so do the bands. After all, where else can you have your ego stroked continuously for a half hour?" —SIOBHAN McKEAY

## THE ARTS

## The poetry of motion

On a stage at Toronto's Bivoli club under the merciless glare of spotlights, 20 poets leap intently over desks, scriffling, shoving pens and staring at the expectant audience. They are participants in the Poetry Swastashop, a light-hearted competition to compose a poem in the increasingly short period of two minutes. The event is the creation of two brothers, Jim and John Coburn, 28-year-old actors, and publisher Fred Hill, who has organized 22 soliloquy evenings at the Bivoli since early last year. Now they are intent on making it a national phenomenon. Calgary's first Poetry Swastashop will take place this week, and Kingston, Ont., staged its first contest earlier this year. Said Hill: "Just as economic health can be measured by the number of housing starts, so the cultural health of Canada may soon be measured by poetry starts."

John Coburn, named Poetry Swastashop while he was sitting in a Toronto cafe in January, 1983, admiring a young woman at a table nearby. Noticing that she had just begun to write a poem, Coburn dared her to compose the entire



John and Jim Coburn: instant verse

work on the spot. He recalled: "When she finally read what she had written, she was trembling with emotion. She said it was the best thing she had ever done." Coburn and his co-workers shaped the actress of that moment into Poetry Swastashop, which begins with 50 poems drawn up from Robert's Thesaurus out of a hat. At the clang of a cowbell they furiously begin composing verses based on a word from the page. Later, a judge chooses 10 finalists who read, sing, chant or cross their creation to the audience. Finally, three winners are awarded \$100 each.

The Coburns and Hill have high hopes for Poetry Swastashop. Indeed, Hill says he foresees a day when the best poets improvise from across the country will converge on Toronto for the "Kennedy Derby of Swastashops." Meanwhile, Judi Gaster, a publisher who planned the Calgary event for its Public Library, said that she would like to hold a special event in conjunction with the city's 1988 Winter Olympics, hoping that some of the athletes might participate. The prospect of Soviet hockey players sporting rhyming couplets is in keeping with the whimsical spirit of the event. The poems created in the previous season of Poetry Swastashop may not rival Shakespeare's, but rarely has verse been put to such entertaining use. —JOHN BUCHANAN

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Rational Youth's Tracy Howe has taken more drastic measures in his search for a sound with wider appeal. The minimalist electronic style that spawned his band's throbbing dance hit "Robot" on *Silence*—inspired by Petting Rabbit's "The Sound of Silence"—has given way to a fuller, more tasteful commercial mix. On his new album, *Meredith* (Capitol), both synthesizers and guitars have been tempered. Howe has chosen instead to watch stringed acoustic guitars and a minimal vocal harmonies on the more soulful songs. "I'm not a fan of Cliff May. While melodic changes in Rational Youth's style start, dreamy sound are significant, *Meredith* is a mesmerizing collection of songs. In its bid for popularity, Rational's Vogue has been forced to its roots as a more melodic style." —*Robert S. Johnson*

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## Freschi makes his mark

With its lyric design, North America's first Jumeilhiana, a spiritual centre for the 30,000 Canadian followers of the Aga Khan, seems strangely out of place amid the suburban sprawl of Burnaby, B.C. The Aga Khan is one of the world's richest men, and leader of 15 million Ismaili Muslims. Designed by Vancouver architect Bruno Freschi, the \$25-million residence-cum-religious centre is a powerful synthesis of Western and Islamic architecture, from its imposing arched facade to the vast prayer hall within—an undeniable masterpiece despite its unlikely setting. Said Gaur Gumbel, one of the commissioners in the Aga Khan who selected Freschi to design the mosque: "We looked at everything Bruno had done and came to the conclusion that he was the most creative architect in Vancouver, and one of the best in the world."

The lesson that the Aga Khan first sent to Vancouver in 1876 was to work an architect for the mosque had a long list of names to consider—but none of its members had heard of Freschi. It was the architect's strong local reputation, and the



Freschi. From the Aga Khan to Expo '86

versatility of his work on the streets of Vancouver, that won them over. In Cathedral Square, at the corner of Robson and Denman streets, Freschi transformed the land above an underground B.C. Hydro substation into a delightful urban park, with ramps, benches and a pool with its own miniature pier. His three Ping-Pong Ball Courts Pavilion are a blend of the historic and the whimsical. And in 1981, when the organizers of Expo '86 held a competition to select a master design for the \$1.5-billion world's fair, they chose Freschi's concept of reusable modular pavilions. They also selected him to design the fair's architectural centerpiece, the Expo '86, a 100-foot-high steel structure whose design is known locally in Vancouver as "the Gullfalk."

Montreal's extravagant Expo '67 heralded an epoch in Canadian architecture. By contrast, the standardized pavilions Freschi designed for Expo '86 are deliberately minimalist. The pavilions have drawn criticism from many Vancouver architects, who say they are bland. But unlike Montreal's world's fair, Expo '86 is a special-category fair in which exhibitors make use of pavilions provided for them instead of designing and building their own.

Still, the 45-year-old architect says that he is not entirely happy with the fair's design. Since he drew the preliminary plans, between 1981 and 1983, he has had little to do with the building itself. Now, says Freschi about Expo: "I don't know what it's all anymore." Even the Expo '86 site short of his expectations. Originally, Freschi designed a globe-like television screen programmed to project constantly moving images for the facade, but that proved too costly. Said Freschi: "Globe-like facades have been done before. But this one would have been total energy—a building of information."

A native of Tivoli, B.C., Freschi looks like a cross between an Italian tutor and a professional wrestler. He spent four years under the renowned architect Arthur Erickson at the University of British Columbia and in 1968 he joined Erickson's Vancouver firm, where he worked on such projects as Simon Fraser University and the Canadian Pavilion at Expo '70 in Osaka, Japan. Indeed, some architects say that he figured too long in the shadow of the master. But Freschi disagrees. "Arthur was my mentor. I am proud of that."

Despite Freschi's recent accomplishments, he is busily seeking new work in a still-depressed B.C. economy, and he recently reduced his office staff to 12 from 30. He says that if his professional success does not improve, he may move to the United States. It would be a loss that the Vancouver skyline and its afford. —JANE O'HARA in Vancouver.

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## Linking birth and suicide

**F**or grief-stricken relatives, the suicide of a young person is inevitably a cruel mystery. But for doctors and health workers the news has become one of trying to determine why so many more young people are now committing suicide. In 1983, the last year for which Statistics Canada has

figures, 312 Canadians younger than 30 took their own lives—almost a 400-per-cent increase since 1965. In the United States the incidence of suicide in that age group has increased by 300 per cent over the past 30 years. The reasons are still unclear, but one group of U.S. researchers now believes that the moment

of birth onto the stage for later suicide is a newly published study the psychologists found that 50 per cent of young suicide victims had mothers who were sick during pregnancy or had experienced difficult or traumatic births.

The cases emerged when Dr. Lewis Lapin, director of the Child Study Center at Brown University in Providence, R.I., Dr. Lee Salk of New York's Cornell University Medical College and three other researchers examined birth records of 58 young suicide victims who died in Rhode Island between 1975 and 1983. They compared the victims with two separate "control" groups: babies born immediately before and immediately after them in the same hospital. Some of the suicide victims had respiratory difficulty after birth; some were not given prenatal checkups by their mothers for the first 30 weeks of the pregnancy and some had chronically ill mothers. Said Salk, "We found very significant differences between the suicide group and each control group."

Salk and Lapin emphasize that they do not believe the difficult births themselves caused the suicides. Instead, they maintain that the trauma left the infants vulnerable to the psychological problems that can lead to suicide. And because infant mortality has declined sharply in the past 30 years, Salk speculated that medical advances which save infants who might otherwise die leave an increasing number of such people disturbed. Said Salk, "It is clear that we are using far more aggressive efforts to keep babies alive." What is not clear is why—and how—the traumatic births and tragic deaths are linked. Added Lapin: "The mechanisms which intervene between the early distress and the eventual suicide are still largely unknown."

For his part, Dr. Robert Simmons, coordinator of the crisis unit at Toronto's Hospital for Sick Children, said that the findings are interesting. Declared Simmons: "Anything that disrupts the relationship between a child and his parents certainly increases the risk of suicide." But he added that the idea of a link between tough efforts to save babies and a burgeoning number of adolescent suicides is "a bit speculative." And Dr. Alan Bernstein, president of the Denver-based American Association of Suicidologists, said that an unwanted pregnancy could eventually lead to adolescent suicide. But, he added, "I just do not believe in 15- or 16-year delayed effects, while you ignore all that can go on in between."

Indeed, the research stops short of answering the riddle of adolescent suicide. But it has opened up a potentially promising new avenue of research.

—DAVE SHERIDAN



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## A passionate maternity

MEN AND ANGELS

By Mary Gordon  
(Random House, \$29.95, 200 pp., \$20.95)

The bond between mother and child has seldom been the subject of serious literature. Heroines from Madame Bovary to Scarlett O'Hara have thrived on romance and rebellion, but few have waded with pounding hearts in their kitchens, as Anne Porter does in *Men and Angels*, for the previous footprints of their children. In Mary Gordon's remarkable new novel, she illuminates the neglected terrain of maternal passion with wit, compassion and piercing intelligence. Out of the familiar fab-

ric of North American middle-class life, she has fashioned a powerful study of the way people love—and fail to love.

Anne Porter is a serene, blue-eyed, modern madonna, armed with a PhD in art history and nourished by her rich family life. Gordon writes, "No one had told her what it would be like, the way she loved her children. What a thing of the body it was, as physically rooted as sexual desire, but without its edge of danger." Anne and her husband, Michael, a professor, have cast off the shackles of their imperfect childhoods and rediscovered the romance of domestic harmony with their two children in a college town. But their charmed circle is

broken with the arrival of Laura, a young misny who helps out with the children during a year when Michael is teaching in France and Anne is absorbed in a scholarly project.

The two women sharing the house become like the two sides of a single soul. The engaging Anne, whose whole life has been blessed with love, has a lush, lyrical sensibility and an earnest, impetuous need to believe in her own goodness. Laura, who has been emotionally damaged by an abusive upbringing, is a religious fanatic who secretly believes that God has chosen her to save the Porter family. With the harsh beauty of the incense, Laura easily penetrates their lives. Withdrawn, tender and profoundly vulnerable, she still craves maternal affection. But Anne recoils from her silent judgment and her desperate need, and in doing so confronts her own weakness. In a pivotal moment, Anne realizes that she can-

not welcome Laura into her heart.

*Men and Angels* is chiefly concerned with the way women love, which is rooted in the primary relationship between mother and child. Although Anne is a dedicated scholar, she is defined by her need to nurture and is nurtured in a way that her husband is not. She cannot forgive Caroline Watson, the painter whose life she is remembering, for having abandoned her son, and perhaps ruined his life, in her ruthless determination to pursue her art. Yet she knows she would not judge a male artist in the same way. Gradually, however, Anne realizes the limitations of maternal love. It can be blind and narrow, closing around the family in an attempt to protect it. But even the strongest love cannot shut out suffering. In the end, Laura is right: human love is not enough.

To read *Men and Angels* is a rich, intense sensual pleasure. Gordon dives into the dark, unanswerable questions



Gordon: a rich, sensual pleasure

of life and skins its glowing surface with equal facility. With sad, graceful strokes, she paints characters so rounded and seems so vital that they are almost palpable. Her descriptions of loved characters glimmer with light and autumnal pollen. A frustrated ballet teacher who tyrannizes the children of gratitude, out-of-shape mothers, a glamorous set director who defines the town's decadence by calling about in designer shoes. At the same time, Gordon's portrait of Laura's tortured inner life is chilling in its gut-level intensity.

The failure of human and divine love to embrace the wreckage of the Earth lies at the heart of *Men and Angels* as an insalubrious riddle. Ultimately, the book challenges the justice of a universe in which Anne is enfolded by love and Laura is blighted by exclusion. It remains a mystery, one that Mary Gordon is too fine a novelist to attempt to explain away. —GILLIAN MACKEY

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## A desperate search for love

THE GLASS MOUNTAIN  
By B.L. Spurling  
(Doubleday, \$16 paper, \$75 hb.)

Most first novels are fortunate if they win lukewarm recognition as promising writers. But with *The Glass Mountain*, Montreal's B.L. Spurling has emerged as a novelist of warm humanity and considerable insight. Based on her prize-winning short story, "The Chosen One," the novel

tackles the elusive contemporary condition known as emotional alienation. Spurling may well grow into one of the country's most respected writers. The title of the novel comes from a story told in which an embittered prince is trapped on a glass mountain that no man is able to climb. That problematic parallel is the life of 37-year-old Chloe, who is suffering a nervous breakdown in a Montreal mental home. On the

surface Chloe would seem to have little reason for despair: she is beautiful, has enough money to live independently and is a moderately successful modern pianist. But, as the novel gradually reveals, she has drifted through her life to a tangle of emotional involvement. Her rich, globe-trotting parents raised her with loving propriety, shunting her off to summer camps whenever possible and allowing little interest in her progress for the piano. In the first of several affecting flashbacks that form the bulk of the novel, Chloe's chilly house life forces her at the age of 10 to flee to her grandmother in New York. There she meets her cousin, Cosmo, a flamboyant homosexual sculptor who provides Chloe with the first real friendship of her life.

Spurling tells the story of Chloe's search for love entirely from her benighted point of view. For that reason, *The Glass Mountain* is largely a novel of observation: Chloe does not tend to interfere deeply with those around her, but she watches them intently. That restraint might have produced rather cold, unsympathetic fiction. But Spurling has skillfully endowed Chloe with considerable humanity: she can often see who is deserving of sympathy, even though she may be unable to embrace them totally herself. Chloe develops a secret, outwardly effective friendship for Helene, a young diabetic violinist who has fallen in love with her. Spurling's depiction of their time together at music camp sparkles with all the sensations and confusions of adolescent passion.

Chloe also has a keen eye for fools—although she seems unable to resist their romantic advances. She attaches herself to Kurt, a self-centered pianist, and, in a series of poignant scenes, witnesses to his bitter failure in New York. She leaves him for her music professor, the most likable of her lovers, who inexplicably gives up for Laurence, an insensitive, overbearing boss. By that point, Chloe has become a textbook example of a mistreated child who grows into a chronic misanthope: she seems incapable of choosing a path that leads to happiness.

Spurling intends Chloe's breakdown to provide her with an excuse of escape and recovery from her mistakes and self-punishment. But in the final chapters she fails to establish a convincing link between the scenes in the mental hospital and Chloe's past life. That failure occurs largely because Chloe's flashback for Cosmo—whose death triggers her collapse—is shallow and unconvincing. The ending is a small disappointment in a novel that shines with rare sensitivity, assessing the impressive arrival of a unique and promising talent.

—JOHN PENNINO



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## A break with the old guard

GORBACHEV: A BIOGRAPHY  
By Thomas G. Betson  
(Simon, \$20 paper, \$75 hb.)

When recent Russian papers in the Soviet Union, Mikhail Gorbachev has become an intriguing presence in the Western press. Unlike his predecessors, the personable 54-year-old lawyer managed to rise quickly through the bureaucratic ranks of the Soviet hierarchy. Unfortunately, Thomas Betson's timely biography—the first to appear in the West since Gorbachev became the Communist party's new general secretary—reveals little more than what has already appeared in print. Betson says that Gorbachev is a "radical different Soviet leader," but he presents inadequate evidence for his case and fails to provide a fuller portrait of the man.

A journalist and author specializing in current and Soviet history, Betson provides a straightforward account of Gorbachev's life, starting with his birth to a peasant family in 1918 in the Stavropol region of southern Russia. Gorbachev was young enough to escape the perils of Soviet leader Josef Stalin and the German invasion during the Second World War—calamities that hastened the rise of his own age group. Betson contends that Gorbachev's studies in law and agronomy at Moscow State University, as well as his extensive travels abroad, made him "the best-educated and most sophisticated Soviet leader since Stalin."

Analysis and personal charm were crucial to Gorbachev's success. Betson depicts sympathetic attention to his second from party organizer in his home town to secretary of the Central Committee with special responsibility for agriculture in 1978. But adherence to the party line and the cultivation of such powerful friends as former Soviet leader and aide chief Yuri Andropov and party ideologue Mikhail Suslov were also vital. Betson says that those connections helped Gorbachev weather a series of spectacular disasters during the past six years. Still, he downplays Gorbachev's obvious links to the more sinister side of Kremlin politics.

The author clearly believes that Gorbachev is the brightest hope of a younger generation. But because of the Kremlin's inertia, Betson may be overly optimistic. The West still has not seen whether Gorbachev's leadership is indeed enlightened or merely old-style misanthropy wrapped in a deceptively appealing package. —GILBERT WICK



Michael Tremblay: A patchy history of crime dealing and mistreatment by men.

### THEATRE

## Five prisoners of guilt

ALBERTINE, IN FIVE TIMES  
By Michael Tremblay  
Directed by Phil Glazer

Michael Tremblay's *Les Boles Sacres*, with a cast of 10 women, established the all-female play as a distinctive dramatic form in Quebec (see page 7). Seven years later, Tremblay has advanced that form one step further with *Albertine*, in *Five Times* five actresses play Albertine, a working-class woman from east end Montreal, from the age of 20 to 70. In its English-language premiere at Toronto's Theatre/Théâtre, the play reveals Tremblay's gift for poignant, comic dialogue. Still, the guilt that gnaws down Albertine weighs the audience as well in what is otherwise an engaging production.

As the play begins, the 70-year-old Albertine (Dawn Petrie) moves into a tiny room in a home for the aged. She then becomes the blind old of death by swooping up more breadwinners from her past. Throughout the play all the Albertines remain on stage and interact with one another against the cheerful backdrop of her happily married sister, Madeleine (Dawn Wright). Sexual aggression and push on the dominant themes in Albertine's painful history, evoking when she nervously hurls her 11-year-old daughter out, a decade later, when the daughter dies in the Montreal underworld of drugs and prostitution. But Tremblay's

short chamber piece for six women has complex subtextual meanings as well. The "five times" of the title also refers to sexual tongue: each Albertine speaks in a clearly toned rhythm which weaves the speeches of daily life into an unbreakable work of musical art.

Albertine of 38 (Dawn Gryn) and at 40 (Clara Casher) generate the work's most turbulent moments. Their resentment of men and sex (she is what 30-year-old Albertine calls a "rag") "to keep the sky over my head" that keeps upsets each in Gryn's blunt, explicit and in Casher's classic bluntness. Tremblay deftly makes their losses bitterer by playing the gestures of youth against the wrinkling handiwork of the older Albertine. But he traps Albertine at 50 (Patricia Hamilton) and at 60 (Joy Coghill) in the grip of memory: because the audience has been watching the earlier events, their reliving of the past becomes self-inflicted.

Albertine is typically charged and deceptively still, drawing its dramatic power from the imaginations and memories of the characters. In the final tableau Tremblay almost redeems the play from its fatalistic vision as the Albertines lift up their arms to the moon goddess, symbolizing the eternal female. But that moment is not enough. Tremblay's chamber piece remains locked in the mind's eye instead of filling the stage with a rich theatrical experience. —MARK CHAMBERS





Madigan, far beleaguered U.S. fishermen pitted against Vietnamese immigrants

## FILMS

# Pride and the prejudiced

ALAMO BAY  
Directed by Louis Malle

The Vietnamese immigrants who began working as shrimp fishermen off the south coast of Texas in 1979 were recently trying to succeed in their newly adopted country. But violence soon broke out between the new comers and American-born fishermen because the Vietnam vets worked for lower wages. Both sides had reasonable grievances, and in *Alamo Bay* director Louis Malle and screenwriter Alvin Karp attempt to give each a fair hearing. Their approach is admirable, but it results in a predictable, if effective, melodrama on the subject of prejudice.

The screenwriters do try to humanize the native Texans and they place a private drama at the center of the conflict. Dick (Ho Nguyen) is one of the Vietnamese immigrants who arrives in Alamo Bay with a dream of the good life. He starts to work for Wally (Ronald Maifia), when the townspeople already resent for employing immigrants. Chafed among the oligarchs in Shang (Ed Harris), the Vietnam War veteran who cannot meet the mortgage payments on his boat. His former girlfriend, Wally's daughter, Glory (Amy Madigan), who has returned from Gorman Christi to help her ailing father with his business. The earthy Glory must make the painful choice between Shang, whom she desperately loves, and his principles.

As long as Malle (Liliane Giza) and Alvin (southern of Sillwood) stalk with the story of Shang and Glory, *Alamo Bay* distinguishes itself as more than a standard potboiler about racial tension. Despite his bipolar Shang emerges as a sympathetic character. His anger grows out of his frustration, shockingly married to a shrew, he wants Glory but he cannot comprehend her scruples. Harris's performance of a man at the limits of his patience is searing and intense, but Madigan is quietly impressive as Glory. The kids back her emotions, as if needing every escort to get through a nightmare past of her life. The two actors' intimacy together in scenes, finely nuanced and ultimately heartbreaking.

Harris and Madigan dwarf the rest of the movie, so much so that the racial conflict seems petty in comparison. Malle's understated and unharmed visual style creates some sequences of undeniable power: a Ra-Kee-Kee boat rides into the harbor with a ghostly crew. But that style renders the rest of the film sluggish. And the Vietnamese, including Dina, seem little more than dramatic props. Arlen can't because a setback with a single line to a waitress. "Darling, these biscuits are old enough to vote." But the Vietnamese are never so humanely idiosyncratic, and the movie suffers for it. *Alamo Bay* means well, but its execution does not always match its intention. —LORIANE O'TOOLE

# Metaphysics for murderers

THE HIT  
Directed by Stephen Frears

As he begins as a fast-paced thriller, full of sex, blood and violence, its pace, Willie Parker (Tommy Stinson), is a small-time London malarkey who testified against his partners a decade before, leading them to jail. Now free, they hire Bradlock (John Hurt) and Myron (Tim Roth) to kidnap Willie in Spain and bring him to Paris to be executed. But Willie has grown philosophical in exile and reacts indifferently to his fate. Confused, the others, while if he is trying to trap them. The viewer also becomes confused as the film turns into a muddled metaphysical debate played out across the scorched Spanish landscape.

While pursuing their prey, Bradlock and Myron treat murder with a frightening nihilism. Confusedly, they blow up the Spanish boys they had hired to abduct Willie. While eating a pie in Madrid, they shoot the owner and take his mistress, Maggie (Laura Del Sol), hostage. Such brutality brings into focus the movie's struggle with the meaning of death. To Bradlock and Myron death is merely the ultimate punishment. To Maggie it is an unthinkable horror—she will do anything to live. But Willie has abandoned away his fear of death, finding the peace that John Donne. The just, poor death, not yet earned then kill me.

As the film sinks deeper into nihilistic contemplation, Stephen Frears's direction loses its overall quality and becomes increasingly often laboriously explained. Bradlock is the character out of a Russian novel; he raises his gun, looks down the barrel and wavers as if great thoughts of crime and punishment were churning behind his capillaries. And Steve's face has a weary glow as he helps his killers toward their task. Through that ritualistic treatment of murder, the film tests each character's ability to withstand the pressure of instant death.

The film is also a test of audience endurance. The climax might have been moving if either Willie or Bradlock had displayed any vitality. Instead, the two characters are effete and symbolize the emptiness of contemporary Britain, a nation that has been killed by the master Myron. Still, that irrepressibly appalling ball is finally knocked off by a naive, in Frears's bleak and ponderous vision of modern civilization, only those with the instincts of a savage can survive. —GINA MALLEY

# The ragged edges of divorce

MY FIRST WIFE  
Directed by Paul Cox

In *My First Wife* Australian director Paul Cox examines the breakdown of one of the most complex of all relationships: a marriage. John (John Hargreaves) is a Melbourne disc jockey and chemical composer who moves capriciously through life. When his wife, Helen (Wendy Hughes), tells him she is leaving an affair and wants to leave him, John's world falls apart. The pain of his rejection infuses the movie with an overwhelming bitterness: love is fragile and ephemeral because it depends totally on the mysterious workings of the human heart.

Traditionally, the treatment of broken marriages in movies has been straightforward: usually the husband discarded the wife, often for a younger woman; but women's liberation has made dramatic attacks on the screen. Recently, men have begun to abandon their spouses (*Kramer vs. Kramer*, *Shoot the Moon*). And, unlike the rejected women, the men do not quietly turn to on themselves. In his anguish John responds violently: he kidnaps his daughter, kidnaps an Helen and her lover and, in a moment of fury, bombs down the door. Finally, he tries to commit suicide. Coincidentally, his father

lies dying in a hospital, and John copes by personal unhelpfulness into philosophical inquiry.

Despite John's comment it is Helen who grips the viewer's attention in *My First Wife*. A naive creature, Hughes has an enigmatic self-assurance that makes Helen a central figure to John. When they reconcile for a brief time, she releases her sexual advances—a rejection that John cannot accept.

*My First Wife* is full of insight about

marriage as an institution under strain when both sexes demand equal rights but the film structures the damaged marriage without making a judgment. A gifted film-maker, Cox (*Men of Flowers*) has rendered a passionate story into an observation. Ultimately, there is no dramatic tension between Helen's restlessness and John's misery, and the audience is left to observe them from a dispassionate distance. Cox has delivered a no-fault divorce—a total legal device, but a weak foundation for a compelling movie.

—GINA MALLEY

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**Fiction**

- 1 *The Innocent* Cather, Sinclair (1)
- 2 *Family Album*, Abel (2)
- 3 *Twelve*, Ondaatje, Michael (3)
- 4 *Thirteen*, Barlowe (4)
- 5 *Virgin and Martyr*, Gooding (5)
- 6 *First Among Equals*, Ayler (6)
- 7 *The Talkative*, King and Stroud (7)
- 8 *So long and thanks for all the fish*, Adams (7)
- 9 *Black Box*, Moore
- 10 *Strong Medicine*, Wiley (10)

**Nonfiction**

- 1 *Isaacson, Interview with Moses* (1)
- 2 *The Canadians*, Malcom (1)
- 3 *Bravely with Moore*, Gooding (3)
- 4 *Citizen Hughes*, Dumas (4)
- 5 *What They Don't Teach You at Harvard Business School*, McGowan (5)
- 6 *A Day in the Life of Canada*, Scher by Cohen (6)
- 7 *Be Aweared in Body Type Program*, Abramson and King
- 8 *Geology*, Gooding and Taylor (8)
- 9 *Royal Society*, Berry
- 10 *Gerbache*, Sutton

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# The new and impossible trivia

By Allan Fotheringham

**T**ime for the spring edition of the Free and Friendly Fotheringham Fivesthousend White Quiz Open to all except members of Parliament and relatives of the author. Prizes will be awarded. Marks are given for sections 1. President Ronald Reagan, who will visit Europe in May to commemorate the 50th anniversary of the end of our latest world war, extended a scheduled visit to the Dachau death camp because, he said, most Germans don't even remember the war. Do you feel this illustrates something about (a) his mystery of malice-in-ten? (b) the size of the del-cat? (c) his memory?

2. Right-wing Republican Senator Jesse Helms is trying to get enough money for military assistance to launch a takeover bid for CBS, so he can rid the television network of dangerous liberal rubbish as Dan Rather. Who do you feel is the most dangerous man at the C&C? (a) David Halton? (b) Mike Duffy? (c) Pierre Jettou?

3. Former Ontario premier Bill Davis, who served in power mainly because of obvious lion, delay, denials and dumbification, has been picked by Ottawa as Canada's man on a new two-man commission to look into the urgent problem of said rule. Who do you think will die first? (a) Davis? (b) his report? (c) the lakes?

4. Write an essay on Michael Warren's success in keeping peace with the postal workers. Keep it brief.

5. The newest football millionaire is Peter Brock, who was finally discovered by the Los Angeles Rams after a decade in Canada, mostly with the Winnipeg Blue Bombers. Brock said he wanted to get out of Winnipeg because after you've been in the town there's nothing left to do. What other signs in Manitoba would you recommend? (a) Joe Borowski's demerolism? (b) Sterling Lyon's temper? (c) the Gindl aurings? (d) downtown Flin Flon? (e) suburban Le Pas?

6. The Conservative government's solution to the uproar over the CBC radio. Allan Fotheringham is a columnist for Southern News.

backs seems to be the best of appointing a commissioner to look into the whole controversy. Who would you suggest as commissioner? (a) Tommy Hunter? (b) John Gumbel? (c) Dalton Camp's brother-in-law?

7. Do you know who the premier of Prince Edward Island is? Why?

8. When Bryce Mackay, Sigma Whelan and Bob Goss have secret Friday meetings, where do you think they meet? (a) Portugal? (b) Lake, West Germany? (c) Windsor, Ont.?

9. If the bureau of missing persons asked you to help in finding Jean Chris-

10. Who is the external affairs minister of Canada? (a) Joe Clark? (b) Brian Mulroney? (c) Mike Mulroney?

11. You are trapped in a lifeboat for two weeks with (a) Jean-Claude Parvut, (b) Erik Nelson, (c) Ray George. When would you throw overboard first?

12. John Turner is now living in an Ottawa hotel because Public Works still is making alterations to his official home at Sturtevant and Spadina. John Reading, a new friend, wanted his home at Kingsway back. Does this (a) make you proud to be a Canadian? (b) make you want to go into politics? (c) none of the above?

13. To O'Neill, the most powerful Democrat in Washington, says after meeting Mikhail Gorbachev in Moscow that the new Soviet leader would make a good trial lawyer. Does this make you want to (a) jump for joy? (b) build a bomb shelter? (c) glory in that we have another badly needed lawyer in politics?

14. You are asked by the bureau of missing persons to help find John Crosbie. Where would you look? Would you ask Brian Mulroney for help?

15. Francis Mulroney, who was picked as the new premier of Ontario not by the

people of Ontario but by a few Tory delegates, now refuses to debate on television, before the people of Ontario, the leaders of the Conservative and Liberal parties, the Conservative (a) democracy? (b) Miller's used-car dealer philosophy? (c) the reason the Ontario Tories have been in power since the 70s?

16. Please explain Ronald Reagan's Rise With defense system in simple terms. When you have finished, please explain it to Ronald Reagan. Keep it very brief.

17. Toronto proposes building, beside the Roy Thomson concert hall, a domed structure that will have a retractable roof which will be open to the sky in good weather. Write a descriptive essay of what will happen, inside the hall at the height of a symphony, when 50,000 Argonaut fans greet a winning Toronto team. Be poetic.

18. Estimate how many times Roy Thomson ever attended a concert. Be generous.

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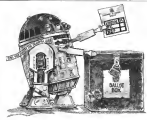
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19. Who is the external affairs minister of Canada? (a) Joe Clark? (b) Brian Mulroney? (c) Mike Mulroney?

ties, where would you look?

20. The Toronto Maple Leafs, once the dream of every one's Christmas, finished in last place in the National Hockey League with their worst record in history. Outline the more attractive qualities in Harold Ballard's personality. Try to keep it brief.

21. Tell us in what year you intend to vote Liberal again. Please specify the century.

22. Gayle Christie, a Toronto Tory, says she was qualified for her appointment to the board of directors of Air Canada because she can drive a car. Does this increase your interest in (a) flying Air Canada? (b) waiting to take the train? (c) urging the expansion of the runway at Gind?

23. Do you know any Conservative who has not received a federal pension appointment? Name the person.

24. Who is the finance minister of Canada? (a) Michael Wilson? (b) Gerald Rupp? (c) Brian Mulroney?



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